ประชาธิปไตยภายใต้รัฐบาลพรรคไทยรักไทย

นายเดอร์มอท ไมเคิล โมนาฮาน

DEMOCRACY IN THAILAND UNDER THAI RAK THAI GOVERNMENT

Mr. Dermot Michael Monaghan

A Thesis Submitted in Partial Fulfillment of the Requirements

for the Degree of Master of Arts Program in Southeast Asian Studies (Inter-Department)

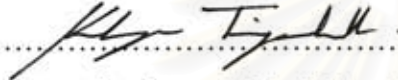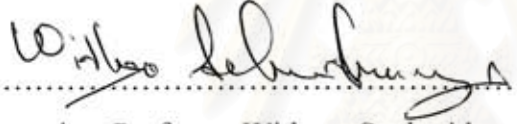Graduate School

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การเลือกตั้งในปี 2001และ 2005 ซึ่งนำไปสู่ชัยชนะด้วยคะแนนเสียงท่วมสภาของพรรค
ไทยรักไทยซึ่งนำโดยนักธุรกิจ เศรษฐี ทักษิน ชินวัต เป็นโอกาสแนกที่จะประเมินรัฐธรรมนูญใหม่
และสภาพของประชาธิปไตยภายใต้รัฐบาลปัจจุบัน

ในการวิเคราะห์กระบวนการประชาธิปไตยไทย เราต้องเริ่มต้นที่การปฏิวัติล้มระบบ
สมบูรณาญาสิทธิราชย์ในปี ค.ศ. 1932 ภายหลังเหตุการณ์นั้นมีการประกาศใช้รัฐธรรมนูญหลาย
ฉบับ ซึ่งเสริมสร้างหลักการของการปกครองประชาธิปไตยไทย แต่ในขณะเดียวกันรัฐบาลเผด็จ
การทหารหลายๆ ชุด ได้สร้างการผูกขาดความเป็นใหญ่ของชนชั้นนำ และกำหนดรูปแบบและอัต
ลักษณ์ของรัฐ การเปลี่ยนแปลงสำคัญๆ ในระบบการเมืองไทย ซึ่งเป็นผลจากการต่อสู้ทางชนชั้นใน
วันที่ 14 ตุลาคม และเหตุการณ์พฤษภาทมิฬ พิสูจน์ว่าพลังที่สามารถคานอำนาจรัฐไทยคือขบวนการ
เคลื่อนไหวทางสังคมขนาดใหญ่ ด้วยเหตุนี้หลักการพื้นฐานของประชาธิปไตย: ความเสมอภาคทาง
การเมือง และการมีส่วนร่วม จะเกิดขึ้นได้ก็ต่อเมื่อมีการเมืองของชนชั้นล่าง กรอบคิดเกี่ยวกับ
ประชาธิปไตยที่ใช้ในงานชิ้นนี้จึงเน้นความสำคัญของพื้นที่ทางการเมืองของขบวนการเคลื่อนไหว
ทางสังคม

ข้อสรุปของงานชิ้นนี้คือ รัฐธรรมนูญปี 1997 ได้ลดทางเลือกทางการเมืองลงเพราะ
ส่งเสริมพรรคการเมืองขนาดใหญ่แบบไทยรักไทย “องค์กรอิสระ” ที่เกิดขึ้นภายใต้รัฐธรรมนูญใหม่
ได้ถูกครอบงำโดยพรรครัฐบาล และนอกจากนั้นมีผลในการลดการมีส่วนรวมของประชาชนลง จน
เหลือแค่บทบาทในการลงคะแนนเสียงในวันเลือกตั้งเท่านั้น และสุดท้ายนโยบายการปราบปราม
ของรัฐบาลมีผลในการลดพื้นที่ประชาธิปไตยให้เล็กลงอีก สรุปแล้วประชาธิปไตยมีน้อยลงภายใต้
รัฐบาลไทยรักไทย

สาขาวิชา เอเชียตะวันออกเฉียงใต้ศึกษา(สหสาขาวิชา)   ลายมือชื่อนิสิต.................................
ปีการศึกษา 2548   ลายมือชื่ออาจารย์ที่ปรึกษา.................

The General Elections of 2001 and 2005, which led up to the eventual landslide victory of the *Thai Rak Thai* party, led by billionaire businessman Thaksin Shinawatra, offers the first chance to evaluate the latest Thai Constitution, and assess democracy in Thailand under the current government.
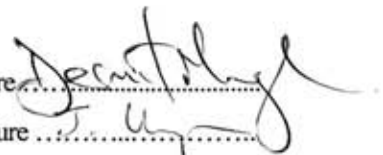
In analysing the democratization process of Thailand, it is important to begin with the overthrow of the absolute monarchy in 1932. Since then, various constitutions have been promulgated as the principle of the 'democratic' regime but also successive military dictatorships have reinforced the political hegemony of the ruling elite by creating a particular form of state identity linked to repression. Significant change to the Thai political system which were the result of class struggle in the October 1973 and May 1992 uprisings, shows that the power of the state could only be countered by mass-based social movements. Therefore, the fundamental principles of democracy; political equality and popular participation, are only effective in conjunction with class politics from below. For this reason the democratic model used in this thesis places much importance of the existence of political space where movements can operate.

This study finds that the 1997 constitution has diminished political choice by favouring large political parties such as *Thai Rak Thai*. "Independent bodies" created by this constitution; when not dominated by the ruling party also serve to demobilize popular participation by reducing the role of the people to passive voters. Finally the increasingly repressive measures used by the government have further reduced democratic space. Democracy has been diminished under the *Thai Rak Thai* government.

Field of Study Southeast Asian Studies(Inter-Department)   Student's signature……………………

Academic Year 2005   Advisor's signature ……………………

ACKNOWLEDGEMENTS

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CHAPTER I

Introduction

In the aftermath of the May 1992 uprising – when Thai troops shot dead scores of unarmed protestors in the streets of Bangkok – pressure from various forces within Thai society called for political reform and the drafting of a new constitution, eventually promulgated in 1997 at the height of the Asian Financial Crisis.

The General Election of 2001, which saw the landslide victory of the *Thai Rak Thai* party led by billionaire businessman Thaksin Shinawatra; offers the first chance to evaluate this new constitution, and access democracy in Thailand under the current government.

Methodology and Approach

1. Significance and Usefulness of the Research

The crushing of the Left following the October 1976 crackdown, meant that Marxist ideology (and Marxist books) were forbidden until only very recently. In general, most political commentators neglect to use Marxism as a tool in their analysis of the Thai political system. The usefulness of this research, lies in its evaluation of democracy in Thailand under the *Thai Rak Thai* government up to October 2005. The significance of the research lies in the fact that Marxism is used as part of the model for democracy.

2. Major Arguments

Significant change to the Thai political system has been the result of popular uprisings led from below. Therefore, the power of the state can only be countered by such mass-based social movements. The fundamental principles of democracy;

political equality and popular participation, are only effective in conjunction with class politics, which serves as the democratic model used in this thesis.

3. Objectives

To evaluate democracy in Thailand under the *Thai Rak Thai* party, the first government to be elected under the new Thai Constitution (1997).

4. Research Methodology

Literature review is employed as the research method in this thesis. The hypothesis of this thesis is that principle of democracy in Thailand has been diminished under the *Thai Rak Thai* government.

The 'Core Concepts and Theories' section begins with a brief discussion establishing the historical origins of democracy as a political ideology dating back to early Greek civilization, with its adoption and adaptation by later Roman civilizations.

There follows a discussion on the political and structural changes in Western society incorporating the 'civilizing process,' and the emergence of civil society. Nationalist ideology and the standardization of the nation-state, meant Governments looked for citizen participation as a factor in their effectiveness in the unequal struggle with the mass of their native populations, in the new industrial age. This historical account is done for two reasons, firstly, to establish democracy as a western political concept and, secondly, in order to analyse later, the democratization process in Thailand. Another political ideology, Marxism, is employed as a purely secular interpretation of society and its historical development, and serves as a suitable theory in which to analyse class-struggle, and the social movements that would arise from the demands of labour to be admitted to the political process; as well as the demands of small nations that as yet were subject to imperial domination, but were not yet independent nation-states.

The 'Democratic Theory' chapter analyses two schools of thought Social Democracy and Marxism, since the democratic ideal may be achieved based on differing political ideologies. The initial discussion is necessarily thorough since the aim is to establish a working definition for the term 'democracy' with which to evaluate democracy in Thailand under the *Thai Rak Thai* party.

The discussion relating to the emergence of the Thai nation-state, the associated modernization (with the emphasis on Westernization, considering the fundamental change in world view this new conception of the nation-state implied) is deliberately set out as a historical narrative based on Chai-Anan Samudavanija is open to debate as a factual account or when considered in terms of the democratic model put forward in this thesis. The reason for this is that it best shows how nationalist ideology (particularly right wing political historical analysis) is put to work in the process of the evolution of the Thai nation-state and thus is necessarily biased. Furthermore, because of the three pillars of nation, religion and king (to which is sometimes added constitution and more recently people), are difficult to separate, it is one other reason for the discussion taking this form. Following on from this is a brief discussion relating to the nature of Thai nationalism, the relevance of constitutions and how it fits with political ideology as key points of the preceding discussion.

Having analysed these key concepts, only then is it suitable to propose a second argument which is more specific than the Marxist one, relating to the universality of Western liberal democracy in the case of Thailand. Finally this section concludes with an overview of the 1997 Thai Constitution.

The final chapter analyses some key points relating to democracy under the *Thai Rak Thai* government based on the working definition).

The thesis ends with a conclusion regarding the hypothesis of whether the principles of democracy in Thailand, has been reduced under the *Thai Rak Thai* government.

CHAPTER II

Core Concepts and Theories

2.1   The Origins of Democracy

The concept of democracy as a form of government dates back at least to early Greek civilisation. The original Greek, démokratiá, was first used to designate their new conception of political life and the practices it gave rise to in many city-states, toward the middle of the fifth century B.C. Although the root meaning of the Greek term is relatively straightforward 'demos', meaning people, and 'kratia' meaning rule or authority, hence 'rule of the people.' The democracy of the Greeks, however excluded women, slaves, and often other categories of people,[1] and so these very roots have been the subject of much analysis and are open to various interpretations by both contemporary and more recent political philosophers[2] - with the result that the idea of there being different models and concepts of democracy has become well-established.[3]

Despite the influence of classical Greece on the development of democracy, modern democratic ideas and institutions have also been shaped by many other factors, of which three are particularly important: the concept of a republic, the

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[1] Samuel Huntington, <u>The Third Wave: Democratization in the late Twentieth Century</u> (Oklahoma: University of Oklahoma Press, 1991), p. 13.

[2] Robert Dahl, <u>Democracy and its Critics</u> (New Haven: Yale University Press, 1989), p. 3.

[3] David Beetham (editor), <u>Defining and Measuring Democracy</u> (London: Sage Publications, 1994), p. 27.

'One reason why many writers on comparative politics have shied away from a general definition of democracy is the enormous variety of such definitions in the literature of recent political theory, and the disagreement which has surrounded them. Some would even put democracy into the category of "essentially contested concepts," whose definition depends irreducibly upon the theorist's ideological presuppositions…Most of the disagreements turn out on closer inspection to be not about the meaning of democracy, but about its desirability or practicability: about how far democracy is desirable, or about how it can be most effectively or sustainably realized in practice. Such disputes are entirely proper, but it is misleading to present them as disputes about the meaning of democracy itself.'

development of representative government,[4] and certain conclusions that follow from

the concept of political equality. Based on the premise that 'the people' is not a

perfectly homogeneous body with identical interests, historically the task of the

republican was to design a constitution that reflects and somehow balances the

interests of the one (an aristocratic or oligarchic element), the few (democratic

element) and the many (popular component) – with the most obvious constitutional

model being republican Rome with its system of consuls, Senate, and tribunes of the

people. A thousand years later some of the city-states of medieval Italy (Republic of

Venice) were also transformed into popular governments, though later receded during

the Renaissance. In the more conservative aristocratic republican view (proposed by

Aristotle), even though 'the people', the many, ought to have an important role in

government – it is limited by the belief that they are more to be feared than trusted. In

contrast, the more democratic republicanism of the eighteenth century (espoused by

Machiavelli, Thomas Paine, and Thomas Jefferson), the element most to be feared is

not the many but the few, not 'the people' but the aristocratic and oligarchic

elements.[5] In the eighteenth century, theorists (Rousseau and Montesquieu), began

joining the democratic idea of 'rule by the people' to the non-democratic practice of

representation,[6] which introduced the next theme: how could one prevent tyranny on

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[4] Robert Dahl, <u>Democracy and its Critics</u>, pp. 28-29.

'…yet how could a Roman be a good citizen if, for all practical purposes, he could not attend the assemblies held in Rome for electing magistrates and passing laws…since it was impossible in a large state for the people to meet as a legislative body, they must choose representatives to do what they could not do themselves.'

[5] Ibid., p. 26.

'Aristocratic or conservative republicans continue to emphasize the solution of a mixed government that balances the interests of the one, the few, and the many, and thus seek to reflect those interests in the monarchy, the aristocratic upper chamber, and the lower house for the commons. To democratic republicans, however, the idea of representing different interests in different institutions is increasingly more dubious and unacceptable. The difficulties in the older theory of mixed government became particularly evident in America. In the absence of an hereditary aristocracy, who are the specially worthy few?'

[6] Ibid., p. 28.

the part of the new 'elected' sovereign based on the principle of the 'separation of powers'. The third main problem of democratic political theory considered political mechanisms that could safeguard society and its members against the abuse of power on the part of their elected representatives. The solution came as a demand for free political activity, that is, freedom to create political organizations that might express and defend interests of various social groups.[7] These three ideas – political representation through free election, separation of powers, and freedom of political activity, may be said to form the basis of modern democracy.

According to the theory of Anderson, of the nation-state representing an 'imagined community', the emergence of civil society and the associated expansion of political space had its roots in the information revolution (the primary effect of which was a printing boom) which meant not only were the upper classes (the rulers and merchants) becoming better educated, printed books began to fall into the hands of people who were not intellectuals, and thus knowledge and critical study gave rise to the age of 'Enlightenment'. Society's concern for social and political reform of what might collectively be called the *ancien regime* - semi-feudal economy, division of the

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'Thus from classical Greece to the seventeenth century, the possibility that a legislature might properly consist not of the entire body of citizens but of their elected representatives remained mainly outside the theory and practice of democratic or republican government – difficult as this fact may be for a contemporary democrat to understand.'

[7] Biryukov N. and Sergeyev V, cited in Beetham ed., 'Defining and Measuring Democracy', pp. 182-183.

'The problem of representative democracy emerged on the eve of the modern era as part of a larger task: the rational organization of society. Inspired by conspicuous success of mathematics and natural sciences, the greatest thinkers of the seventeenth century tried to understand not only the interrelations of human mind and nature, but the nature of human society as well…Of the various topics that are related to the problem of understanding the nature of society and inventing a rational system of its government, based on the ideas of "natural" human rights and the initial equality of human beings, some appear to be of primary importance. The first is the source of state sovereignty and the development of cooperation between egoistic individuals. If people are born equal and free, how can human commonwealth with its inherent hierarchy and power relations emerge out the initial chaos of individual egoistic drives? How did civil society originate? The question was asked by Hobbes, who drew the following conclusion; civil society was created by a *social contract* between individuals who had renounced their rights in favour of a *sovereign* in order to put an end to the natural state of *war of all against all*.'

population into orders and estates, religious intolerance, enthusiasm, fanaticism and

superstition, royal absolutism and government corruption, and while frequent

parochial peasant rebellions marked the earlier periods of history, mass

communication facilitated networks to join across wide social and geographic

divides,[8] while conscription and the formation of an urban working class[9] led to the

French Revolution (1789) and demands from the masses, that a state be based on "the

people"[10] rather than, for example, a dynasty,[11] God, or imperial domination.[12] The

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[8] Sidney Tarrow, <u>Power in Movement</u> (Cambridge: Cambridge University Press, 1988), pp. 43-44.

'Printed books went back to the fifteenth century, but for a long time these were written in Latin, dealt mainly with religious subjects, and were inaccessible to ordinary people. This did not mean they were unimportant in spreading information – after all, the first political tracts were the religious books of the Protestant Reformation – but accessible publications had to await the spread of literacy and the lowering of the price of printed papers…But from the eighteenth century on, new forms of association, regular communications linking center and periphery, and the spread of print and literacy produced a secular change. Together, print and association made it possible for people in widely scattered towns and regions to know of one another's actions and join across wide social and geographic divides in national social movements".

[9] John Breuilly, <u>Nationalism and the State</u> (Chicago: University of Chicago Press, 1994), p. 20.

'Conscription, for example, can create new contacts between state and the lower levels of rural society which may lead to support for new kinds of politics. In revolutionary and Napoleonic France, in Ireland during the First World War, it was conscription which first made many people take a political interest in the world beyond their locality…The formation of an urban working class is, of course, the best known of the ways in which economic change creates a new capacity for mass political action. Labour migration, that is the extension of the labour market into the countryside, can have as great a mobilizing effect upon rural populations as can the development of rural industry and of commercial agriculture.'

[10] Alvin Toffler, <u>The Third Wave</u> (New York: Bantam Books, 1981), pp. 72-73.

'Drenched in such mechanistic thinking, imbued with an almost blind faith in the power and efficiency of machines, the revolutionary founders of Second Wave societies, whether capitalist or socialist, not surprisingly invented political institutions that shared many of the characteristics of early industrial machines…Votes were the 'atom' of this Newtonian mechanism. Votes were aggregated by parties, which served as the 'manifold' of the system. They gathered votes from many sources and fed them into electoral adding machines which blended them in proportion to party strength or mixture, producing as its output the "will of the people" - the basic fuel that supposedly powered the machinery of government.'

[11] Benedict Anderson, <u>Imagined Communities</u> (New York: Verso, 2003), p. 21.

'During the seventeenth century, the automatic legitimacy of sacral monarchy began its slow decline in Western Europe…After 1789 the principle of legitimacy had to be loudly and self-consciously defended, and, in the process, "monarchy" became a semi-standardized model.'

[12] Alvin Toffler, <u>The Third Wave</u>, p. 111.

'There were political and social reasons, too, for the acceptance of the atomic model of reality. As the Second Wave crashed against the old pre-existing First Wave institutions, it needed to tear people loose from the extended family, the all-powerful church, the monarchy. Industrial capitalism needed a rationale for individualism. As the old agricultural civilization decayed, as trade expanded and towns multiplied in the century or two before the dawn of industrialism, the rising merchant classes, demanding the freedom to trade and lend and expand their markets, gave rise to a new conception of the individual – the person as atom.'

peoples of the West faced the task of building a new economic, social, and political order[13] in the new industrial age.[14]

Nationalism was the most prominent political ideology of the 19th century, reinforcing the concept of the nation as a 'biological fact' - while promoting a sense of shared natural habitat, common language, customs and historical experiences – in a process of reshaping and reordering the identity of its inhabitants in the form of what Anderson refers to as an 'imagined community'.[15] It attempted to unify social and political goals of the elite in the unequal struggle with the mass of their native populations. It emerged from two main sources: the Romantic exaltation of 'feeling' and 'identity' and the Liberal requirement that a legitimate state be based on 'rule of the people'. Thus with the emergence of the nation-state, democracy took on a wholly

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[13] Ibid., p. 83.

'What one saw, therefore, in one country after another, was the rise of this powerful new entity - the nation. In this way the world map came to be divided into a set of neat, nonoverlapping patches of red, pink, orange, yellow, or green, and the nation-state system became one of the key structures of Second Wave civilization. Beneath the nation lay the familiar imperative of industrialism: the drive toward integration. But the drive for integration did not end at the borders of each nation-state. For all its strengths, industrial civilization had to be fed from without. It could not survive unless it integrated the rest of the world into the money system and controlled that system for its own benefit.'

[14] Ibid., p. 46.

'As industrialism pushed across the planet, its unique hidden design became visible. It consisted of a set of six interrelated principles [standardization, specialization, synchronization, concentration, maximization, centralization] that programmed the behaviour of millions. Growing naturally out of the divorce of production and consumption, these principles affected every aspect of life from sex and sports to work and war.'

[15] John Keane, Civil Society: Old Images, New Visions (Stanford: Stanford University Press, 1998), p. 94.

'Like other ideologies, nationalism is an upwardly mobile, power-hungry, and potentially dominating form of language game which pretends to be universal. It supposes that the Nation is a biological fact, and that it is the principal form of life, all the while hiding its own particularity by masking its own conditions of production and by attempting to stifle the plurality of non-national and sub-national language games within the established civil society and state in which it thrives…The famous remark of Albert Camus, that he loved his nation too much to be a nationalist, correctly grasped that nationalism is a pathological form of national identity. Nationalism also takes advantage of any democratizing trends by roaming hungrily through civil society and the state, harassing other particular language games, viewing them as competitors and enemies to be banished or terrorized, injured or eaten alive, pretending all the while that it is a universal language game whose validity is publicly unquestionable, and therefore views itself as freed from the contingencies of historical time and space.'

new form and dimension. The Liberal's notion of the power of the state to unite;[16] led to increased Imperial rivalry that accelerated further territorial consolidation.

The revolutions of 1848 were the first European-wide revolution of the modern age and in the case of Germany, marked a break between liberalism and nationalism. Bismarck's policy of 'Blood and Iron' gave rise to the German Empire thus transforming the balance of economic, military and international power which enabled it to challenge the British Empire. By 1875 the idea of the nation-state had been standardized and Governments now looked for citizen participation as a factor in their effectiveness,[17] but major sources of discontent would arise from the demands of labour to be admitted to the political process,[18] and the demands of small nations that as yet were subject to imperial domination, but were not yet independent nation-states.

The first half of the twentieth century saw the inevitable clash of these nationalist forces - in two world wars and in the start-up of a 'cold war'. These nationalist urges which had their origins in the West, but came to include the Far East,

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[16] Robert Asprey, The Rise and Fall of Napoleon Bonaparte (London: Abacus, 2000), p. xvi.

'As European armies suffered repeated defeats owing to Napoleon's military mastery, the desire of their governments for revenge continued to grow. It was fuelled on the one hand by Napoleon's determination to build a French empire in an attempt to unify a discordant Europe, on the other hand to force the English government to share its control of the seas: too often overlooked is the singular fact that in the first decade of the nineteenth century Britain controlled five-eights of the world's surface – its oceans – compared to Napoleon's relatively slight and always tenuous European holdings.'

[17] Michael Leifer ed., Asian Nationalism (London: Routledge, 2000), p. 6.

'The only resource left to the elites in this unequal struggle was numbers, the sheer mass of their native populations. Therefore they had to appeal to the "people" for support. They had to invite them into history and write the invitation card in the language and culture of the masses, that is, their vernacular, folk cultures. That is why nationalism is always a profoundly militant, cross-class, populist movement, and why it has found in cultural Romanticism a unifying vehicle for its social and political goals.'

[18] John Breuilly, Nationalism and the State, p. 22.

'Mass literacy, 'print capitalism', and the construction of a "standard, national culture" provide the basis for new popular political attitudes and demands. The development of new methods of communication and improvements in the structure of communications make possible the transmission of ideas – on a scale hitherto unimaginable…All these processes do not simply alter the situation and interests of people; they change people. Most dramatically, the move into a city is for many people a move into a new world in which their old ways of thinking, acting, being are brought into question. To make that move successful, Nationalism can play an important part in this process of redefinition.'

not only dragged the rest of the world into the violence as victims - but eventually spread the same nationalist zeal across the globe, as if the fate of humanity depended on the ultimate victory of one or another of these communities.

While the term democracy in modern usage dates from the revolutionary upheavals in Western society at the end of the eighteenth century,[19] it has since undergone several broad historical transformations to-date, referred to by Huntington as 'waves of democratization,' with the first wave of democratization having its roots in the social movements of the American and French revolutions.[20]

However, any definition of democracy in terms of elections is a minimal definition. Some people hold that democracy has, or should have much broader and idealistic connotations - as the commonsense view holds that coup d'états, censorship, rigged-elections, coercion and harassment of the opposition, incarceration of political opponents, and banning of public meetings are incompatible with democracy. Today, only a handful of countries have yet to grant at least a ritualistic symbolic vote to their citizens and to hold at least nominal elections. Even totalitarian regimes usually pay some lip service to the legitimate right of the people to participate in government, i.e. to participate in 'governing', though not in case of political competition (for example Burma). It may seem perverse that this historically unprecedented global expansion in

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[19] Robert Dahl, <u>Democracy and its Critics</u>, p. 4.

'Just as the Greeks took for granted that the proper scale of democracy, or for that matter any decent political system, was necessarily extremely small – a few thousands of people – so since the late eighteenth century advocates of democracy have generally assumed that the natural locus of democracy is the nation-state or, more generally, the country. In adopting this assumption, what often goes unacknowledged is how profoundly the historic shift in scale, from city-state to nation-state, has transformed the limits and possibilities of democracy.'

[20] Samuel Huntington, <u>The Third Wave: Democratization in the late Twentieth Century</u>, pp. 15-16.

'A wave of democratization is a group of transitions from non democratic to democratic regimes that occur within a specified period of time and that significantly outnumber transitions in the opposite direction during that period of time. A wave also usually involves liberalization or partial democratization in political systems that do not become fully democratic. Three waves of democratization have occurred in the modern world…Each of the first two waves of democratization was followed by a reverse wave in which some but not all of the countries that had previously made the transition to democracy reverted to non democratic rule.'

the acceptability of democratic ideas might not be altogether welcome to an advocate of democracy since as Dahl points out 'a term that means anything means nothing. And so it has become with "democracy," which nowadays is not so much a term of restricted and specific meaning as a vague endorsement of a popular idea.'[21]

While it is true to say that democratization has been a global trend, statistics reveal that the percentage of independent democratic countries today is the same as it was in 1922. Furthermore, whether a country such as Iraq is truly democratic is open to debate, and the statistical significance of countries with relatively low populations, for example, the Marshall Islands has less impact than whether, for example, China is democratic [see Table1].

Table1

Democratization in the Modern World

Year	Democratic States	Non-democratic States	Total States	Percentage Democratic of Total States
1922	29	35	64	45.3
1942	12	49	61	19.7
1962	36	75	111	32.4
1973	30	92	122	24.6
1990	59	71	130	45.4
2004	87	103	190	45.8

Source: for the years 1922 -1990 Huntington, 26.
Source: for 2004 Freedom House, <http://en.wikipedia.org/wiki/Freedom_House#2005_Ratings> (30 November 2004)

Three general approaches became central in the debates over the meaning of democracy. As a form of government, democracy has been defined in terms of procedures for constituting government, sources of authority for government, and purposes served by government – the distinction being that the 'process of collective decision-making, no matter how 'democratic,' cannot be justified unless it produces –

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[21] Robert Dahl, Democracy and its Critics, p. 2.

or at least tends to produce desirable results - thus casting the familiar problem of process (Structural Functionalism) versus substance (Social Democratic) in the setting of democratic ideas and practices.'[22] Concurrently, social scientists have attempted to explain a reversal away from democratic forms of government in the 60s and 70s, by highlighting 'the inappropriateness of democracy in poor countries'[23] and the prevalence of authoritarian regimes in these countries.[24] Furthermore, the 70s and 80s saw a weakening of the left on a world scale with the defeats of 'Communism' in the USSR, Eastern Europe, and China.

The multitude of terms to describe regimes under which there are diminished civil and political rights - which exhibit certain authoritarian tendencies - yet which are not full-blown authoritarian regimes or alternatively regimes which are 'unequivocally non-democratic,' such as 'transitional democracies' are misleading, suggesting unidirectionality, while others gloss over important differences. In recent years, models of *semi-authoritarianism*[25] and *competitive authoritarianism,*[26] analyze regimes that fall neither into the authoritarian nor liberal democratic camps. Both these

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[22] Ibid., p. 5.

'Although the problem itself has become fairly prominent in discussions of democratic theory, proposed solutions to it (and non solutions) usually depend on assumptions in the shadow theory.'

[23] Samuel Huntington, The Third Wave: Democratization in the late Twentieth Century, p. 26.

'They attempted to explain the swing away from democracy in the 1960s and 1970s by pointing to the inappropriateness of democracy in poor countries, the advantages of authoritarianism for political order and economic growth, and the reasons why economic development itself tended to produce a new and more enduring form of bureaucratic-authoritarianism.'

[24] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization (Bangkok: Institute of Public Policy Studies, 2002), pp. 7-8.

'The paradigm rooted in Aristotelian epistemology is inappropriate for studying Asian political systems. For in these systems the relationship between state and society is more complex and multidimensional than in Western ones. And liberal democratic values, structures and functions – if they exist at all – constitute only one dimension of state-society relations. Furthermore, in Asian societies, change largely involves adjustment and coexistence between opposing forces, rather than conflict playing itself out through an objective dialectical process.'

[25] Marina Ottaway, Democracy Challenged: The Rise of Semi-Authoritarianism (Washington: Carnegie Endowment for International Peace, 2003).

[26] S. Levitsky and L. Way, "The Rise of Competitive Authoritarianism," Journal of Democracy 13 (2002).

models, however, tend to overlook the dominant role of capital in the establishment of certain examples of these regimes.[27] Levitsky and Way use competitive authoritarianism to describe a regime under which the structuralist approach of process and procedures (with the setting up of 'independent bodies' to provide the 'checks and balances' for open and accountable government), take precedence over substance.[28]

One of the characteristics of competitive authoritarianism, is that despite facing authoritarian obstacles, formal 'democratic' institutions allow enough political space for 'opposition forces' (certain political parties, NGOs, and civil society) to periodically 'challenge, weaken, and occasionally even defeat autocratic incumbents'[29] - which is the key difference to full-blown authoritarian regimes. Levitsky and Way argue that there are four important areas of democratic contestation where this competitiveness reveals itself: the electoral arena; the legislature, the judiciary; and the media.

Nevertheless, under competitive authoritarian regimes: the electoral system is open to abuses of state power under which it is increasingly difficult to voice dissent or influence political discourse and fully participate in the electoral process; the legislature is 'typically' weak as the government tends to subordinate the judiciary either blatantly, or through more subtle techniques such as bribery, extortion, and

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[27] Samuel Huntington, <u>The Third Wave: Democratization in the late Twentieth Century</u>, p. 316.
'History has proved both the optimists and the pessimists wrong on democracy, and future events will probably continue to do so. Formidable obstacles to the expansion of democracy exist in many societies. The third wave, the "global democratic revolution" of the late twentieth century, will not last forever. It may be followed by a new wave of authoritarianism constituting a third reverse wave…new forms of authoritarianism could emerge that are suitable for wealthy, information-dominated, technology-based societies.'
[28] S. Levitsky and L. Way, "The Rise of Competitive Authoritarianism," <u>Journal of Democracy</u> 13 (2002), p. 52
'…formal democratic institutions are widely viewed as the principal means of obtaining and exercising political authority. Incumbents violate those rules so often and to such an extent, however, that the regime fails to meet conventional minimum standards for democracy.'
[29] Ibid., p. 54.

other mechanisms of co-option; while attempts are often made by government to suppress the independent media, using 'subtle' repressive mechanisms.[30]

2.1.1 The 'Civilizing' Process and Civil Society

It is important to analyze these developments in the context of the so-called 'civilizing process,' referred to by many scholars who interpreted events of their time, in order to understand some of the key aspects of political theory that these events gave rise to. One key work relating to the 'civilizing process' was that of the social scientist Norbert Elias, who traced the transformation in western Europe of the warlike, feudal order of late medieval society into a state-building court society whose threshold of 'shame and embarrassment' about violence was qualitatively higher. The salient point being that the 'civilizing process' masks 'the conniving egoism and violence of men with a reputation for refined manners,'[31] or as George Orwell wrote - 'the great age of democracy and of national self-determination was the age of the musket and the rifle'. In this respect, civilization may be interpreted as a long-term project of discharging and sublimating violence.[32]

The earlier philosophic concern with 'uncivility' as seen in the works of Jonathan Swift for example, highlight the 'double standards' in the transformation

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[30] Ibid., pp. 55-58.
'…large-scale abuses of state power, biased media coverage, (often violent) harassment of opposition candidates and activists, and an overall lack of transparency…bribery, the selective allocation of state advertising, the manipulation of debts and taxes owed by media outlets…and restrictive press laws that facilitate the prosecution of independent and opposition journalists.'

[31] John Keane, Violence and Democracy (Cambridge: Cambridge University Press, 2004), p. 49.
'There were, for example, abundant complaints about the hypocrisy of civility, in particular because of the role it played in masking the conniving egoism and violence of men with a reputation for refined manners.'

[32] Ibid., p. 139.
'For there are times and circumstances – the caveat is crucial – when violence functions as a basic, if highly paradoxical, precondition of the pursuit or preservation of a civil democracy.'

from violent ('uncivil' societies) to the early modern concern with civility,[33] which is a concept expanded upon by Rousseau, and later Hobbes, who drew the conclusion that 'civil society was created by a *social contract* between individuals who had renounced their rights in favour of a *sovereign* in order to put an end to the natural state of *war of all against all*.'

However, Elias highlights the causal relationship of the modern civilizing process that gave rise to the modern 'democratic' process and the emergence of the nation state, as directly related to the formation and growth of political classes – the French monarchy, the framers of the American constitution, the twentieth-century champions of decolonization – that in their own way and using various means sought to disarm competitor power groups, and to monopolize the means of violence over a given territory and its inhabitants. The creation of the modern state as 'the mortal God' – an impersonal, abstract entity that stands above and is distinct from both the government of the day and the governed – was both a precondition and effect of the civilizing process. The job of the *sovereign* and indivisible state apparatus was to put an end to social violence. The state was to wield a monopoly of armed force over a population that would then enjoy freedom from everyday violence precisely because it comes to regard that state's monopoly of violence as legal – as a legitimate monopoly of violence.[34]

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[33] Ibid., p. 51.

'Swift's attack on double standards, his tongue-in-cheek call for greater public honesty about barbarism in the heartlands of the 'civilised' world, caused a stir, in part no doubt because it exploited the ongoing fears of violence that lurked within the early modern concern with civility. Incivility was the ghost that haunted civil society. In this respect, *civilisation* was normally valued as a long-term project charged with discharging and sublimating violence; incivility was the permanent – beatable – enemy of civil society.'

[34] Ibid., p. 59.

'Civilization is not only taken for granted. It becomes synonymous with a superiority complex that potentially regards others as inferiors, as indeed happened within the tiny courtly-aristocratic upper class of Europeans who tried to lord over the rest of the world and considered themselves as bearers of 'true' civilization. They were a social enclave intensely proud of their achievements – Elias argues – despite clear evidence that the originally European mode of civilization suffered from self-paralysis.

All states, including democratic states, employ coercion. States employ coercion internally to enforce laws and policies and externally in their relations with other states. The means of coercion are of many kinds – economic, social, psychological and physical. The typical and distinctive capacities of a state are its instruments for physical coercion – military and police organizations whose task is to apply (or threaten to apply) systematic violence to maintain order and security.

Thus Keane's analysis of the principal threats posed by violence to democratic ways of life in a 'social contract' whereby citizens intuitively grant their loyalty to the state in return for its guarantee of their personal freedom and security[35] highlights the fact that violence, civil society, and democratic government cannot peacefully coexist.[36] For if violence begins to plague the subjects of any democracy then it loses its civility and (in the extreme case) instead slides towards an *uncivil society*.[37]

According to Elias, modern civil societies are chronically threatened by an *exogenous* source of incivility.'

[35] Ibid., pp. 61-62.

'Monopolists of the means of violence can turn life-threatening weapons against their own subject populations. Rousseau's remark that "the whole life of kings, or of those on whom they shuffle off their duties, is devoted solely to two objects: to extend their rule beyond their frontiers and to make it more absolute within them" applies to the whole of the modern period of territorial state-building. While early empires and tributary regimes normally attempted to ensure the obedience of their subjects and to extract from them as much surplus as possible, they frequently lacked the resources for permanently pulverising the societies they attempted to control. They consequently resorted often to the paradoxical strategy of allowing local communities and whole regions to administer themselves, in return for which the political authorities obliged them to supply produce or corvée labour, on pain of punishment. The modern territorial state, by contrast, functions as a permanent and potentially total instrument of exploitation with concentrated armed force at its centre. It operates in this way because at an earlier point in its history it managed to disarm autonomous feudal lords, communal militias, mercenaries, pirates and dueling aristocrats. The modern state is therefore potentially more terrible in its effects than pre-modern political systems. Its monopoly of the means of violence, as Hobbes remarked, places its subjects permanently under a cloud of terrible violence.'

[36] Ibid., p. 2.

'There are also plenty of recorded cases where democratic governments hurl violence against some of their own populations. Such violence is called law and order, the protection of the public interest, or the defense of decency against 'thugs' and "criminals", or "counter terrorism". Within democracies, medical metaphors sometimes also surface, as when politicians speak of surgical strikes, sanitary cordons, mopping-up operations and fighting the 'cancer' or 'plague' of terrorism.'

[37] Keane, Civil Society: Old Images, New Visions, p. 38.

'That vast power discrepancy shows why violence is incompatible with the civil society and political democracy rules of complex liberty, solidarity and equality of citizens. When individual citizens are violated, they experience interference with their bodies, which may consequently suffer damage, physically, linguistically and psychically. Note that violence affects the bodies of individuals.'

Furthermore, contrary to the view of Elias and Schmitt which portrayed the modern state as 'the mortal God' - the overlapping civil societies that make up the global civil society of non-governmental civic organizations operating at the international level, that emerged especially during the second half of the twentieth century, aim to counter the arbitrary use of violence, and to place stricter limits upon its use by armed governmental institutions.[38] It is by means of a functioning civil society that is independent of publicly accountable governmental institutions, that 'ideally' provide for the dispersal of power providing protection from 'the fear or fact of injury or loss of life,' thus, 'democratizing the means of governmental violence'.[39]

While 'war and rumors of war are omnipresent conditions of the civilising process,' 'uncivil' wars show just how easily collective strife can erupt in otherwise peaceful and vibrant societies and degenerate into a random and reckless violence that seems to have a logic all of its own – 'refugees stream from their infected battle zones; businesses disinvest from their wrecked economies; other non-governmental organizations are also forced to escape their clutches'.[40] According to standard social science theory, civil war is violent conflict within a society resulting from attempts to seize or maintain state power and its symbols of legitimacy by extralegal, violent means. Typically, it is explained, civil war is triggered by the absence of effective

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[38] Ibid., 32-33.

'On the positive side, the worldwide expansion of the language of civil society is evidently bound up with the dramatic growth, especially during the second half of this century, of non-governmental civic organizations operating at the international level; whereas there were just over 100 such bodies in 1900, there are today more than 10,000, and their estimated number continues to rise quickly.'

[39] Keane, Violence and Democracy, pp. 130-131.

'The crafting of peaceful social relations is undoubtedly an essential antidote to the ruins left behind by uncivil war…The most arduous task, which can take many decades, is the creation of other trust-producing civil society institutions, like professional associations, trades unions, neighbourhood organisations and self-help and civil liberties networks – none of which resemble naturally occurring substances. The delicate resource called civility cannot be agreed and written by means of round-table meetings, constitutional conventions, truth commissions or covenants.'

[40] Ibid., pp. 128-129.

formal and informal channels for resolving certain social and political grievances. As Keane notes, 'the consequent sense of frustration, or futility, or fear of reprisals among sections of the population encourage all parties to embrace the assumption or conviction that violence is necessary. There then follows a carefully planned and executed struggle to seize the means of state power by using rational-calculating violent methods, potentially creating an environment in which 'democracy will be used to defeat democracy, for instance by invoking emergency powers that eventually transform it into some other form of military dictatorship'.[41]

Efforts to build or re-build civil society out of the ruins of war often means resources are diverted into unproductive, mafia-type activities like corruption and criminality which compound the problem of developing or sustaining a dynamic economy and creating an environment in which civilians can live without fear.[42]

A 'revised theory' of civil society needs to support the notion that whatever diversity exists within the nation is more or less accepted as one of its constitutive features rather than being based on a 'social contract,' the acceptance of which is instilled through fear of state violence. The fact that citizens of the same nation can legitimately disagree about the meaning and extent of their nationhood, would not only provide opportunities for the advocates of national identity to make their case to a wider audience but conversely, it would also increase the potential of anti-democratic ideologies such as nationalism.

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[41] Ibid., p. 6.
[42] Ibid., p. 130.
'There is another difficulty: the power to force others into submission does not translate spontaneously into the power of the survivors to form stable democratic governments and law-enforced civil societies. The psychic traumas, damaged tissues of sociability and ecological and infrastructural damage inflicted by both the war of intervention and all the senseless sanctification of cruelty that came before it are left untreated.'

The global proliferation of the language of civil society has both positive and negative practical effects. On the positive side, the second-half of the twentieth century, has seen the dramatic growth of non-governmental civic organizations operating at the international level.[43] A key factor in this growth is most certainly connected to the weakening of the left during the 70s and 80s with the defeat of 'communism' in the USSR, Eastern Europe and China. However, the concept of civil society as developed by Gramsci counters that civil society actually contributes to strengthening the power of the state[44] because of the misplaced conviction 'that only civil societies can do certain things, or perform certain functions best.'

The establishment of the World Social Forum in 2001, is an example of a global movement concerned with the sharing of organizing strategies to coordinate campaigns as part of the anti globalization movement. The strategy to unify the struggle of social movements across continents on a range of issues together in combination with the new left wing parties, provides a promising base challenging existing incumbent social democratic parties, and the aspiration to achieve a new world order thus providing a realistic challenge to capitalist global hegemony.[45]

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[43] Keane, Civil Society: Old Images, New Visions, p. 32.

'…whereas there were just over 100 such bodies in 1900, there are today more than 10,000, and their estimated number continues to rise quickly. The global talk of civil society may even signal the first step in the long-term emergence of common frameworks of meaning underneath and across state boundaries – a language that resonates with, and practically reinforces, such trends as the rebirth of international humanitarian law prohibiting genocide, and the growth of a shared (if diffuse) sense within non-governmental organizations and publics at large that civilians have obligations to other civilians living beyond their borders simply because they are civilians.'

[44] Ji Ungpakorn ed., Radicalising Thailand: New Political Perspectives (Bangkok: Institute of Asian Studies, Chulalongkorn University, 2003), p. 300.

'Furthermore, this model of state and society assumes that there is no alternative to free-market capitalism and parliamentary democracy where voters are free to choose their political leaders, but powerless to choose or mandate those who control the big corporations that dominate the means of producing wealth in society.'

[45] Ji Ungpakorn, "Thai Social Movements in an Era of Global Protest," 9th Thai Studies Conference (2005), p. 20.

'The rise of a new international wave of class struggle, which we are witnessing today, started with the anti-capitalist demonstrations in Seattle and Genoa in 1999-2001. It was linked to the creation of the World Social Forum movement, massive unrest throughout Latin America and millions taking part in a global protest against the war in Iraq in February 2003. This new wave international class

2.1.2   Social Movements and Contentious Politics

Contentious politics occurs when ordinary people, often in league with more influential citizens, join forces in confrontations with elites, authorities, and opponents.[46] The fundamental act that lies at the base of all social movements, protests, and revolutions is contentious collective action.[47] Much of the history of movement-state interaction can be read as the strategy and counterstrategy between movement activists and power holders. Contentious forms of collective action are different than market relations, lobbying, or representative politics because they bring ordinary people into confrontation with opponents, elites, or authorities. They have power because they challenge power-holders, produce solidarities, and have meaning within particular population groups, situations, and national cultures.[48]

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struggle represents a "collapse of confidence" in neo-liberal policies of free-market capitalism. Initially the main actors in this revolt were young people who became disillusioned with mainstream free-market politics, a revived working class movement tired of making sacrifices in order to increase profitability, and social movements of small farmers and indigenous peoples. This revolt has now spread to all the main continents of the world such that it is sometimes referred to as "Global Civil Society." Coupled with this new global anti-capitalism is the disillusionment with main stream political parties of both the traditional Right and the reformist Left, since both have accepted neoliberalism.'

[46] Sidney Tarrow, <u>Power in Movement</u>, p. 2.

'…contentious politics is triggered when changing political opportunities and constraints create incentives for social actors who lack resources on their own. They contend through known repertoires of contention and expand them by creating innovations at their margins. When backed by dense social networks and galvanized by culturally resonant, action-oriented symbols, contentious politics leads to sustained interaction with opponents. The result is the social movement…Contentious collective action is the basis of social movements, not because movements are always violent or extreme, but because it is the main and often the only recourse that ordinary people possess against better-equipped opponents or powerful states…they build organizations, elaborate ideologies, and socialize and mobilize constituencies, and their members engage in self-development and the construction of collective identities.'

[47] Ibid., p. 3.

'Collective action becomes contentious when it is used by people who lack regular access to institutions, who act in the name of new or unaccepted claims, and who behave in ways that fundamentally challenge others and authorities.'

[48] Doug Mc Adam and John McCarthy and Mayer Zald (editors), <u>Comparative Perspectives on Social Movements</u> (Cambridge: Cambridge University Press, 1996), p. 14.

'In the modern era, the demands of most movements are ultimately adjudicated by representatives of the state. To respond to a movement, state actors must focus on those movement leaders and organizations that seem to speak for the movement and yet who are perceived to be reliable negotiating partners. In such a situation, the presence of groups deemed extremist can actually help legitimate and strengthen the bargaining hand of more moderate SMOs. Ironically, pressure from the extremists may simultaneously push the moderates to adopt more radical positions themselves. The end

Traditional peasants depended on customary rights to land, water, or forage to survive and were most easily goaded into revolt when these were curtailed or abused. But once the occupation was over, local groups seldom found a way to organize around broader themes and almost never made common cause with the urban poor.[49] Whereas the late nineteenth and early twentieth centuries saw a 'civilizing process' of many of these trends,[50] the movements of the interwar period – fascism, Nazism, Stalinism – fit the image of violence and extremism fostered by the French and industrial revolutions. Modular weapons of contention evolved over time, from the barricade, to the boycott, to the general strike as part of a repertoire employed by the people in order to force the state to acknowledge and address their grievances.[51]

With the emergence of the national social movement in the eighteenth century, early theorists focused on the three facets of movements that they feared the most: extremism, deprivation, and violence of for example, the French Revolution and early nineteenth century industrialism lent strength to this reaction.

As Tarrow notes, 'three basic policies – making war, collecting taxes, and providing food – were part of the campaign waged by expanding states to assure and

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result is often state support for legislative or policy changes once deemed far too radical, by both moderates and the state alike.'

[49] Sidney Tarrow, Power in Movement, pp. 33-36.

'Parochialism, direct action, and particularism combined in four of the most common types of popular revolt that fill the historical record until late in the eighteenth century. In conflicts over bread, belief, land, and death, ordinary people tried to correct immediate abuses or take revenge on those they opposed, using routines of collective action that were direct, local, and inspired by their claims…The major constraint on turning contention into social movements was the limitation of the forms and goals of collective action to people's immediate claims, to their direct targets, and to their local and corporate memberships.'

[50] Ibid., p. 30.

'By the end of the 1848 revolution, the petition, the public meeting, the demonstration, and the barricade were well-known routines, employed for a variety of purposes and by different combinations of social actors.'

[51] Ibid., pp. 38-39.

'But the same period also saw a more organized, more general, and non physical form of action appear – the boycott….Thenceforth, nonimportation and boycotting became the modular weapons of the American rebellion, employed most clamorously in the controversy over tea in Boston harbor.'

expand their power.'[52] Indeed, two of the major changes to state structure in the nineteenth century – the extension of the vote to all adults (male and female), and the growth of a professional police – were both linked to contentious politics. The fear of uprisings led national states to strengthen the police and pass legislation restricting the rights of assembly and association once the idea of combination on behalf of collective claims had become widely diffused. A second major strengthening of police forces coincided with the rise of organized labour, especially when the general strike was developed toward the end of the nineteenth century.[53] If the state supremacy could be challenged, the potential existed to overthrow the vested interests of the ruling class with the result that extreme forms of violent repression were deployed to protect those interests.

Universality of Social Democratic Theory

As industrialism spread out across the planet, its effects may be understood as a set of six interrelated principles (standardization, specialization, synchronization, concentration, maximization, and centralization),[54] a process marking the

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[52] Ibid., p. 59.

[53] Ibid., p. 65.

'In France, it was less strikes than the fear of insurrection that kept authorities plotting new strategies of order. After each wave of revolutionary agitation (1830, 1848, and 1870-1), new attempts were made to restrict collective action, both by limiting association and preparing the forces of order for urban warfare. Both were draconian on the surface but each adapted in the long run to the inexorable pressures of citizenship and civil society.'

[54] Alvin Toffler, The Third Wave, pp. 46-59.

'Everyone knows that industrial societies turn out millions of identical products. Fewer people have stopped to notice, however, that once the market became important, we did more than simply standardize Coca-Cola bottles, light bulbs and auto transmissions…In Second Wave societies, hiring procedures as well as work were increasingly standardized. Standardized tests were used to identify and weed out the supposedly unfit, especially in the civil service. Pay scales were standardized throughout whole industries, along with fringe benefits, lunch hours, holidays, and grievance procedures. To prepare youth for the job market, educators designed standardized curricula…The mass media, meanwhile, disseminated standardizing imagery, so that millions read the same advertisements, the same news, the same short stories. The repression of minority languages by central governments, combined with the influence of mass communications, led to the near disappearance of local and regional dialects or even whole languages, such as Welsh and Alsatian. Different parts of the country began to look alike, as identical gas stations, billboards, and houses cropped up everywhere…At an

transformation from 'First Wave' agrarian-based societies to 'Second Wave' industrial-based societies,[55] that attempted to program the behavior of millions.[56]

even deeper level, industrial civilization needed standardized weights and measures. It is no accident that one of the first acts of the French Revolution, which ushered the age of industrialism into France, was an attempt to replace the crazy-quilt patchwork of measuring units, common in preindustrial Europe, with the metric system and a new calendar…Gradually, however, industrializing nations suppressed all nongovernmental currencies and managed to impose a single standard currency in their place…Accelerating the division of labor, the Second Wave replaced the casual jack-of-all-work peasant with the narrow, purse-lipped specialist and the worker who did only one task, Taylor-fashion, over and over again…As factory production spread, the high cost of machinery and the close interdependence of labor required a much more refined synchronization. If one group of workers in a plant was late in completing a task, others down the line would be further delayed. Thus punctuality, never very important in agricultural communities, became a social necessity, and clocks and watches began to proliferate. By the 1790's they were already commonplace in Britain…Pupils were conditioned to arrive at school when the bell rang so that later on they would arrive reliably at the factory or office when the whistle blew…"Nine-to-five" formed the temporal frame for millions of workers…First Wave societies lived off widely dispersed sources of energy. Second Wave societies became almost totally dependent on highly concentrated deposits of fossil fuel…It also concentrated population, stripping the countryside of people and relocating them in giant urban centers. It even concentrated work…much of the work in Second Wave societies was done in factories where thousands of laborers were drawn together under a single roof…The early nineteenth century, in fact has been called the time of the Great Incarcerations – when criminals were rounded up and concentrated in prisons, the mentally ill rounded up and concentrated in "lunatic asylums," and children rounded up and concentrated in schools, exactly as workers were concentrated in factories. Concentration occurred also in capital flows, so that Second Wave civilization gave birth to the giant corporation and, beyond that, the trust or monopoly…If it were true that long production runs in the factory would produce lower unit costs, then, by analogy, increases in scale would produce economies in other activities as well…Since bigness, moreover, was the result of growth, most industrial governments, corporations, and other organizations pursued the ideal of growth frenetically…Nor was this scale maximization simply a reflection of profit maximization….Second Wave governments around the world entered into a blind race to increase GNP at all costs, maximizing "growth" even at the risk of ecological and social disaster…But the shift from a basically decentralized First Wave economy, with each locality largely responsible for producing its own necessities, to the integrated national economies of the Second Wave led to totally new methods for centralizing power. These came into play at the level of individual companies, industries, and the economy as a whole…The gradual centralization of a once decentralized economy was aided, moreover, by a crucial invention whose very name reveals its purpose: the central bank.'

[55] Ibid., p. 45.

'What we have seen so far, therefore, is that once the invisible wedge was hammered into place, separating producer from consumer, a number of profound changes followed: A market had to be formed or expanded to connect the two; new political and social conflicts sprang up; new sexual roles were defined. But the split implied far more than this. It also meant that all Second Wave societies would have to operate in similar fashion – that they would have to meet certain basic requirements. Whether the object of production was profit or not, whether the "means of production" were public or private, whether the market was "free" or "planned," whether the rhetoric was capitalist or socialist made no difference.'

[56] Ibid., p. 37.

'At one level, the industrial revolution created a marvellously integrated social system with its own distinctive technologies, its own social institutions, and its own information channels – all plugged tightly into each other. Yet, at another level, it ripped apart the underlying unity of society, creating a way of life filled with economic tension, social conflict, and psychological malaise.'

Marx called for the overthrow of the new industry affiliated elite in a grand workers' revolution. For the most part, the politics of the twentieth century reflect this conflict between the capitalist and communist empires,[57] for global hegemony.[58]

2.2   Definition of Democracy

2.2.1   Problems of Definition

Defining democracy is a political act. What is needed is a definition which is not based on what Dahl refers to as 'idealistic connotations' forged in theoretical isolation – such as *liberté, egalité, fraternité,* espoused by supporters of the French Revolution. For similar reasons it is inappropriate to adopt the structural functionalist approach, espoused by Schumpeter and others, since a definition based upon the existing institutions and procedures of Western political systems (such as the analysis by Freedom House)[59] - is a definitional fallacy[60] since it would have a Western-bias, as it provides no way of distinguishing between those non-Western institutions and procedures which offer genuinely alternative ways of realizing democracy, and those which could not properly be called democratic at all. In case of the former, no

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[57] Ibid., p. 95.

'The Soviet Union was also driven toward imperialist policies by strategic considerations. Faced with the military might of Nazi Germany, the Soviets first colonized the Baltic States and made war on Finland. After World War II, with troops and the threat of invasion, they helped install or maintain "friendly" regimes throughout most of Eastern Europe. These countries more industrially advanced than the U.S.S.R. itself, were intermittently milked by the Soviets, justifying their description as colonies or "satellites."

[58] Peter Berresford Ellis, <u>A History of the Irish Working Class</u> (London: Pluto Press, 1996), p. 204.

'In 1880, at the Berlin Congress, the entire world was divided into spheres of influence by the existing capitalist powers.'

[59] Samuel Huntington, <u>The Third Wave: Democratization in the late Twentieth Century</u>, pp. 6-7.

'After Schumpeter…theorists increasingly drew distinctions between rationalistic, utopian, idealistic definitions of democracy, on the one hand, and empirical, descriptive, institutional, and procedural definitions, on the other, and concluded that only the latter type of definition provided the analytical precision and empirical referents that make the concept a useful one. Sweeping discussions of democracy in terms of normative theory sharply declined, at least in American scholarly discussions, and were replaced by efforts to understand the nature of democratic institutions, how they function, and the reasons why they develop and collapse.'

[60] Joseph Schumpeter, <u>Capitalism, Socialism and Democracy</u>, p. 269.

distinction can be made as to why these institutions are 'democratic,' rather than, say, 'liberal,' 'pluralist,' 'polyarchic,' or whatever other term might be chosen.[61] Indeed, as Dahl points out, the significance to be attached to participation, or to various forms of participation, turns very much on the conception of democracy which is held since the idea of 'free and fair elections' in isolation, neglects to view democracy as being consolidated, only when the population can fully enjoy their socio-economic and political rights, beyond simply casting their votes. Therefore, problems of definition relate to the fact that there are many elements eligible for selection such as; effective citizen control over policy, responsible government, honesty and openness in politics, informed and rational deliberation, equal participation and power, and various other civic virtues. Therefore, the approach used in this thesis, is to formulate a theory which justifies, and clarifies the concept of democracy as part of the process of definition itself since as Sartori notes, 'there are hosts of characteristics or properties eligible for selection.[62]

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[61] David Beetham, <u>Defining and Measuring Democracy</u>, p. 26.

'Our starting point in defining democracy was to reject the dichotomy made by Schumpeter (1952: ch.22) and many others since, between an ideal conception of democracy and one based upon the existing institutions and procedures of Western political systems. To base a definition of democracy on the latter alone has a number of obvious disadvantages. First, no reason can then be advanced as to why we should call these institutions "democratic", rather than, say, "liberal", "pluralist", "polyarchic", or whatever other term we choose. Secondly, we would be particularly vulnerable to the charge that our conception of democracy was Eurocentric, because it provided no way of discriminating between those non-Western institutions and procedures which offered genuinely alternative ways or realizing democracy, and those which could not properly be called democratic at all…On the other hand, a purely abstract conception of democracy, or a simple statement of democratic ideals and principles, is of limited value on its own unless we can show how these principles could be practically realized at the level of a whole society, and how they have become historically embodied in the institutions through which successive generations have sought to "democratize" the enormous power of the modern state. The institutions developed from these struggles have an exemplary significance for contemporary democracy, to be sure; but this is so only insofar as we can show what makes them democratic, and how they might become more so. In this sense, to divorce a consideration of democratic principles from the institutions and practices through which they can be realized is simply misconceived.'

[62] Robert Dahl, <u>Democracy and its Critics</u>, p. 83.

'Many attempts to justify democracy refer to democratic systems that pretty closely approximate their ideal. Yet ideal political systems and ideal states in particular, have never existed, do not exist, and almost certainly never will exist.'

2.2.2   Social Democracy

As mentioned earlier, the emergence of the nation-state (analogous to the concept of the 'republic and its associated constitution'), with the joining of the democratic idea of 'rule by the people' (political equality) to the non-democratic practice of representation (government), is a suitable point at which to start our analysis.

Let us take the concept of the nation-state as a given – the product of modernization - that needs no further justification for the purposes of our argument. However, if we go back to the original Greek, the phrase 'rule of the people' is highly ambiguous and is open to highly diverse interpretations[63] since different scholars isolate different (sets of) principles which may or may not be regarded as core principles, thus making any definition that one might make contestable.

Therefore, the premise of political equality or 'rule of the people' if it is to be taken as a core principle of democracy, such a claim needs to be justified as part of the process to identify which elements might justify this and certain other principles being adopted as the properties of democracy. Following the logic of Dahl that the 'idea of intrinsic equality' is axiomatic, Saward provides a convincing but lengthy argument that justifies a definition for democracy based on Beetham's principles.[64]

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[63] David Beetham, Defining and Measuring Democracy, p. 28.
'Democracy is a political concept, concerning the collectively binding decisions about the rules and policies of a group, association or society…That is to say, democracy embraces the related principles of popular control and political equality.' Samudavanija, pp. 7-8. 'The paradigm rooted in Aristotelian epistemology is inappropriate for studying Asian political systems. For in these systems the relationship between state and society is more complex and multidimensional than in Western ones. And liberal democratic values, structures and functions – if they exist at all – constitute only one dimension of state-society relations. Furthermore, in Asian societies, change largely involves adjustment and coexistence between opposing forces, rather than conflict playing itself out through an objective dialectical process.'

[64] Ibid., p. 7.
'The first principle [popular control] is underpinned by the value that we give to people as self-determining agents who should have a say on issues that affect their lives; the second [political equality] is underpinned by the assumption that everyone (or at least every adult) has an equal capacity for self-

As Saward writes, 'the most ready way to justify democracy is to start from an assertion that all people are equal in some important respect, since it follows from this that all should be treated equally in certain specific political respects,' even though 'the people' constitute what is obviously not a perfectly homogeneous body with identical interests. Nevertheless, this assertion may be justified on the basis that in societies where a certain structure of inequalities is widely accepted, the notion that democracy is the best form of government would be greatly diminished.[65]

Turning to the concept of representation, the premise that one person or group of people, by virtue of some specified characteristic (without being democratically chosen), is/are the most suitable to rule the rest in perpetuity, cannot be justified based on the principle of fallibilism. This also rules out any justification for an open-ended polity 'which thrives on freedom and criticism' simply because the claim of fallibilists never entitles one to assume that our knowledge – whether moral or factual – is beyond doubt (at least in the case of what Saward defines as non-contingent superior knowledge – 'knowledge which is not confined to any one or any sub-set of a political community's spheres of activity – such as health, education, or energy').[66] However, if the principle of fallibilism is to be used as a justification for political equality - it is

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determination, and therefore an equal right to influence collective decisions, and to have their interests considered when they are made. (1993: 7)'

[65] Robert Dahl, Polyarchy: Participation and Opposition, pp. 91-92.

'In fact, in a number of European and English-speaking countries that now have inclusive and seemingly quite stable polyarchies, liberalized regimes responded in the last century and this to demands for a reduction in inequalities…By responding to these demands for greater political and social equality, a number of countries seem to have won the long battle for the allegiance of hitherto disadvantaged groups, particularly, of course, the working classes.'

[66] Michael Saward in Beetham ed., 'Defining and Measuring Democracy', p. 9.

'We commonly do recognize a variety of claims to superior knowledge, and with good reason. Most of these are in the realm of specialized, technical and therefore contingent knowledge: the garage mechanic knows better than I how to fix my car; the nuclear engineer knows better than I how to build a nuclear reprocessing plant; the social worker knows better than I how to deal with runaway teenagers. We can still be fallibilists and recognize a plurality of claims to contingently superior knowledge – especially efficacious knowledge in certain contexts – since fallibilism is not a doctrine of equal knowledge, or of equal proximity to the truth.'

necessary to distinguish politics as a sphere of activity qualitatively different from others, that is, as a sphere of non-contingently superior knowledge. This Saward does based on four principle arguments – 'regulative,' 'implication,' 'cumulative,' and 'temporal'.

The 'regulative' argument is constructed from Walzer's hypothesis that politics is the 'regulative agency' for other spheres.[67] The 'implication' argument suggests that the 'stuff of politics – power, conflict and interests' - is the only sphere of activity implicated in all other spheres within a political community and does not stop at the boundaries of semi-autonomous spheres of interest.[68] The 'cumulative' argument – that the 'role of politics within all other spheres adds up to more than the sum of its parts' is based on Dahl's model of a 'modern dynamic pluralist (MDP)' society.[69] Assuming it is possible to rationalize the complexity of politics at a given time, could

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[67] Michael Walzer, Spheres of Justice (Oxford: Blackwell, 1983), p. 15.

'political power is a special sort of good. It has a twofold character. First, it is like other things that men and women make, value, exchange and share; sometimes dominant, sometimes not; sometimes widely held, sometimes the pocession of the few. And, second, it is unlike all the other things because, however it is had and whoever has it, political power is the regulative agency for social goods generally.'

[68] Michael Saward, in Beetham ed., 'Defining and Measuring Democracy', p. 11.

'First, we can argue that insofar as the conception, creation and appropriate form of distribution of social goods is dependent upon social understandings, it is dependent on social *interests*. Walzer recognizes that claims to monopolize social goods "constitutes an ideology". An ideology, in turn, is derived from a conception of interests. The idea that this or that recognized and distinct sphere of activity and understandings exists is itself the product of certain interests coming to the fore. Where interests are concerned, and therefore where the very constitution of spheres (and the precise nature of appropriate specialized knowledge within them) is concerned, so is politics.'

[69] Robert Dahl, Democracy and its Critics, pp. 251-252.

'What are we to call this type of society, one that is evidently so favorable to polyarchy?...Some of the essential qualities are perhaps best conveyed by the idea of *modernity* (for example, historically high average levels of wealth, income, consumption, and education, great occupational diversity, large urban populations, a marked decrease in the agricultural population, and the relative economic importance of agriculture). Other aspects are captured by the *dynamic* nature of the society (economic growth, increasing standards of living), and some by its *pluralist* character (numerous relatively autonomous groups and organizations, particularly in the economy)...So many characteristics of an MDP society are favorable to polyarchy that it would be a mistake to single out one or two as primary or causal. However, the multiplicity of favorable aspects may be boiled down to two general features: (1) An MDP society disperses power, influence, authority, and control away from any single center toward a variety of individuals, groups, associations, and organizations. And (2) it fosters attitudes and beliefs favorable to democratic ideas...What is crucial about an MDP society is that on the one hand it inhibits the concentration of power in any single unified set of actors, and on the other it disperses power among a number of relatively independent actors.'

locate, and characterize, the nature of political battles within a number of separate spheres of activity thus providing an overall picture (when the various characterizations are 'added' together) of the nature of political power within the community as a whole.[70] Therefore, stated another way, politics is not 'just' about the nature of, and the different sort of political claims within a number of separate spheres, constituted around certain 'social goods' (such as money, knowledge, status, and access to organizations), it also about the multi-faceted relationships between them such as 'strategic locations' (particularly in economic, scientific, educational, and cultural affairs), and 'bargaining positions' (in economic affairs, science, communications, education, and elsewhere).[71]

The 'temporal argument' considers the previous three arguments on politics over time and further proves the fallibilist argument since if a political authority (PA) could have legitimate contingently superior knowledge of what is in the interests of a citizen (C) with regard to an issue (X), this is highly unlightly since the sum of C's interests at a given time t consist not only with respect to X, but also $X_1, X_2, \ldots X_n$. Similarly, PA's knowledge of C's interests at a given time t consist not only with respect to C, but also $C_1, C_2, \ldots C_n$. In the most general case, PA would have to know the interests X_n of C_n at t, $t+1$, $t+2$, etc. which leaves the only conclusion that those in

[70] Micahel Saward, in Beetham ed., 'Defining and Measuring Democracy', p. 11.
'But if we were able to do even this, our picture would not yet have taken into account the politics involved in the boundary struggles between spheres in addition to the extra layer of political complexity involved in the interactions between spheres.'

[71] Chai-Anan Samudavanija,, Thailand: State Building, Democracy and Globalization, pp. 23-24.
'Patterns of industrialization which depend strongly on natural resources exploitation but which occur in social contexts characterized by severe inequalities in control over those resources can seriously inhibit the emergence of a more participatory democracy…This pattern will often lead to close alliances between business, military, and political power in order to ensure continued control of access to natural resource supplies at favorable prices. One result is that industrialization becomes a source of intersectoral conflict – but not simply, as much development literature would have it, between the supporters of modernity and the followers of tradition, or between urban interests and rural interests. Intersectoral conflict in the context of authoritarian pluralism is between a corporate sector (agriculture and labor). For this reason, one of the challenges of effective democratization resides precisely in this intersectoral conflict and, more precisely, in the need to restructure the terms of this conflict.'

political authority cannot rightly claim to know the better interests of any citizen, or any group of citizens, beyond narrow considerations with respect to a narrow range of issues. Therefore, as Saward concludes, 'no one person can rightly claim to have sufficiently broad or perpetual superior knowledge of either (a) the rightful course for a political community, or (b) the totality of a given citizen's interests'. Thus Beetham's first principle of 'politcal equality' may be adopted as a core principle in the definition of democracy.

The second principle that Beetham espouses as a core principle of democracy - 'responsive rule' is based on the first principle of 'political equality' - that is, 'everyone (or at least every adult) has an equal capacity for self-determination, and therefore an equal right to influence collective decisions, and to have their interests considered when they are made.'

The Logically necessary conditions of democracy

1. Free and fair elections: Competitive elections provide the platform for popular control over government, electoral choice between candidates and programmes, and equality between electors.

2. Open and accountable government: This kind of government will guarantee the public accountability of officials. The accountability of government to citizens depends on two principles: the rule of law upheld by independent courts, and decision-making that is responsive to public opinion.

3. Civil and political rights: Such rights encompass freedom of expression, association, movement, and so on. These rights enable citizens to express divergent or unpopular views, to create informed public opinion, to

associate freely with others, and to find their own solution to collective problems.

4. A democratic or 'civil society': In a democratic society, state power needs to be countered by independent social associations of all kinds. In addition, democracy will have a strong basis when such associations (family, school, church, workplace and voluntary associations) are not only independent from the state but also internally democratic. The democratic experience in these associations will make its members active citizens who feel responsibility for their society at large.

The criteria of popular control (divided into four interrelated segments) which go to make up the major dimensions of democracy can be represented diagrammatically as a pyramid, in which each element is necessary to the whole (see Figure1).

Figure1.

The democratic pyramid
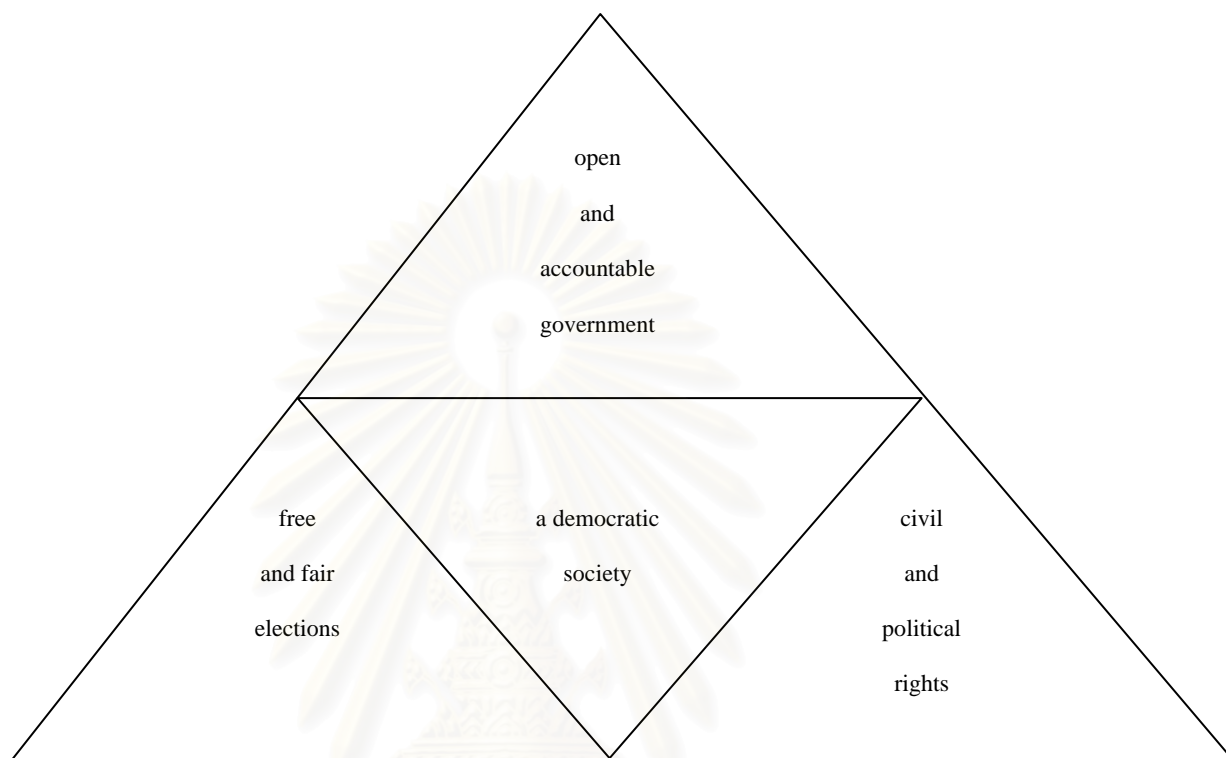
In Dahl's treatment of democratization, two broad indicators are employed as a basis for a more extensive definition – 'participation' measured by the right to take part in elections and office, and 'public contestation', that is, competition for office and political support. These elements are taken to be a measure of 'inclusiveness' and 'liberalization' respectively. Each element, Dahl suggests, is possible in the absence of the other (a regime might change along one dimension and not the other). Political contestation may increase in the absence of a corresponding increase in participation (if a hegemonic regime near the lower left corner shifts upwards) indicating the liberalization of the regime. This transformation corresponds to the creation of competitive oligarchies such as existed in nineteenth century Europe. Similarly, participation in elections may be provided without increasing political choice. It is

only when liberalization occurs in tandem with participation that one may speak of democratization (Dahl adds a range of other indicators for full democratization to be identified). Thus 'true democracy' may be perceived as lying at the upper right-corner (see Figure 2).

Figure2

Liberalization, Inclusiveness and Democratization
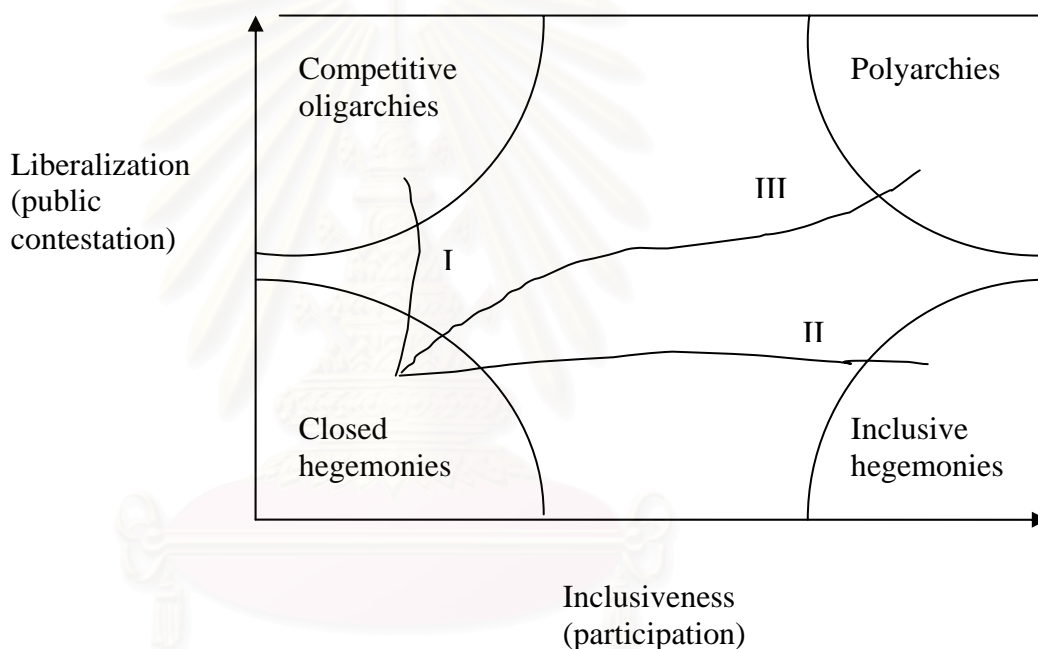
According to Dahl, polyarchy 'is a political order distinguished by the presence of seven institutions, all of which must exist for a government to be classified as a polyarchy.'

1.   Elected Officials

2.   Free and fair elections

3.   Inclusive suffrage

4.   Right to run for office

5.   Freedom of expression

6.   Alternative information

7.   Associational autonomy

However, to say that all seven institutions are necessary is not the same as saying that they are entirely sufficient for the highest possible attainment of the democratic process since there are other possibilities for greater democratization in the government of a country.

2.2.3   Marxism

According to Marx, the forms or conditions of production are the fundamental determinant of social structures which in turn breed attitudes, actions and civilizations. Marx illustrates his meaning, by the statement that the 'hand-mill' creates feudal, and the 'steam-mill,' capitalist societies. In the mid-1800's, Marx, in explaining the servile condition of the European worker under the new industrial leaders, counter-proposed a purely secular interpretation of society and its historical development; claiming that forces inherent in the material means by which societies produced their own wealth (land-holding, slave labour, capitalism) produced dialectical or opposing class interests whose conflicts impelled societies forward historically. Materialist forces shaped history. In politics, systems of rule became increasingly torn by a new kind of conflict born of the split between production and consumption.

The English Revolution (1640-60)[72] - a great social movement whereby the state power protecting an old order that was essentially feudal was violently

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[72] Note on English Revolution (1640-1660):The Civil War was a class war, in which the despotism of Charles I was defended by the reactionary forces of the established Church and conservative landlords. Parliament beat the King because it could appeal to the enthusiastic support of the trading and industrial classes in town and countryside, to the yeomen and progressive gentry, and to wider masses of the population whenever they were able by free discussion to understand what the struggle was really about.

overthrown,[73] meant power passed into the hands of a new class, and so the freer development of capitalism was made possible ('primitive accumulation'[74] that gave rise to a 'commercial society'). Capitalism[75] and the Industrial Revolution (with the central role of the proletarianisation of the masses, led to excessive powers of production that exceeded the growth in consumption,[76] resulting in the tendency for the rate of profit to fall, meant more capital existed than could find remunerative investment) gave rise to Imperialism (and the central role of merchants who were able to monopolise profit, using the coercive power of the state in colonisation).[77] The

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[73] Peter Berresford Ellis, A History of the Irish Working Class, pp. 34-37.

'Just as plantations was the method used by the by Greek city states and by the Romans, whereby colonists drove the native people from their lands, so it was the case with the English for example, in dominating the Celtic peoples (of Ireland, Scotland and Wales).

"The English course of action was voiced by the Master of the Court of Wards, Sir William Parsons [(c. 1570-1650), Surveyor General of Ireland, was one of the most active and efficient of English officials in Ireland. His nephew, Sir Lawrence Parsons (c. 1630-1698), born at Birr, took an active part against James II]: 'We must change their course of government, apparel, manner of holding land, language and habit of life. It will otherwise be impossible to set up in them obedience to the laws and to the English Empire'. [Much earlier in 1367, the Statute of Kilkenny tried to stem the tide of Celtic influence over the settlers. It was made treason for settlers to accept the jurisdiction of the Brehon Laws, to speak Irish, to intermarry, or adopt any native customs].'

[74] Karl Marx, Das Capital (London: Penguin Books, 1992), p. 371.

'The spoilation of the church's property, the fraudulent alienation of the State domains, the robbery of the common lands, the usurpation of feudal and clan property, and its transformation into modern private property under circumstances of reckless terrorism, were just so many idyllic methods of primitive accumulation. They conquered the field for capitalistic agriculture, made the soil part and parcel of capital, and created for the town industries the necessary supply of a 'free' and outlawed proletariat".

[75] Note on the works of Richard Brenner and Maurice Dobbs:

With regard to the English Revolution, there is a conflict between the idea of capitalism developing from below in Dobb's account and the idea of capitalism developing from above in Brenner's account. But there had to be the developments such as Dobb described if there were to be the developments such as Brenner describes, for there had to have come into existence, before the aristocracy could be transformed, richer peasants who could afford to lease the larger farms, and who had the capital to invest in wage labour and improving production.

[76] Peter Berresford Ellis, A History of the Irish Working Class, p. 203.

'In its natural growth capitalism has two stages, national and imperialist. In its national stage it has to protect itself behind national barriers in order to gather strength. In this period it develops on the basis of the home market. But then it reaches a point where, in order to develop further, it must go beyond the home market and find an international market.'

[77] Niall Ferguson, Empire: How Britain Made the Modern World (London: Penguin Books, 2004), p. 19.

'The Dutch and English merchants who founded them were able to pool their resources for what were large and very risky ventures under the protection of government monopolies.'

financial institutions (pioneered by the Dutch[78] and put to use by the English[79] on a

larger scale) allowed these competing European powers the critical mass of wealth that

finally differentiated them from other commercial powers, based on their ability to

borrow at significantly reduced interest rates which made large-scale projects – like

wars – far easier to afford. Thus, funding global trade as well as protecting

monopolistic interests through superior naval power (and Navigation Acts) - this

'globalization by gunboats' inevitably led to conflicts for market share between

them.[80]

The economic interpretation of history does *not* mean that men are,

consciously or unconsciously, wholly or primarily, governed by economic motives.

On the contrary, the explanation of the role and mechanism of non-economic motives

and the analysis of the way in which social reality mirrors itself in the individual

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[78] Ibid., p. 18.

'The Dutch East India Company was founded in 1602. It was part of a full-scale financial revolution that made Amsterdam the most sophisticated and dynamic of European cities. Ever since they had thrown off Spanish rule in 1579, the Dutch had been at the cutting edge of European capitalism. They had created a system of public debt that allowed their government to borrow from its citizens at low interest rates. They had founded something like a modern central bank. Their money was sound. Their tax system – based on the excise tax – was simple and efficient. The Dutch East India Company represented a milestone in corporate organization too.'

[79] Ibid., pp. 22-23.

'In particular, the Anglo-Dutch merger of 1688 introduced the British to a number of crucial financial institutions that the Dutch had pioneered. In 1694, the Bank of England was founded to manage the government's borrowings as well as the national currency, similar (though not identical) to the successful Amsterdam Wisselbank founded eighty-five years before. London was able to import the Dutch system of a national public debt, funded through a Stock Exchange, where long-term bonds could easily be bought and sold.'

[80] Ibid., pp. 21-22.

'It was therefore all but inevitable that English attempts to muscle in on the Eastern trade would lead to conflict, especially since spices accounted for three-quarters of the value of the Dutch company's business at this time…Between 1652 and 1674 the English fought three wars against the Dutch…Determined to achieve naval mastery, the English more than doubled the size of their merchant navy and, in the space of just eleven years (1649 to 1660) added no fewer than 216 ships to the navy proper. Navigation Acts were passed in 1651 and 1660 to promote English shipping at the expense of the Dutch merchants who dominated the oceanic carrying trade by insisting that goods from English colonies come in English ships…Yet despite some initial English successes, the Dutch came out on top. This came as a surprise to many. After all, the English population was two and a half times bigger than the Dutch; the English economy was bigger too…Yet the superior Dutch financial system enabled them to punch well above their economic weight. By contrast, the cost of these unsuccessful wars placed a severe strain on England's antiquated financial system.'

psyches is an essential element of the theory and one of its most significant contributions. Marx did not hold that religions, metaphysics, schools of art, ethical ideas and political volitions were either reducible to economic *motives* or of no importance, he only tried to unveil the economic *conditions* which shape them and which account for their rise and fall.

Marx certainly realized the achievements of the bourgeoisie,[81] but at issue in his analysis is quantitative versus qualitative growth, in so far as a people limited in number and energy, and in the land they occupy have the choice of improving to the utmost the political and economic management of their own society, or they may proceed to spread their power over the whole earth, tempted by the speculative value, or quick profits of some new market, or else by mere greed of territorial acquisition, ignoring the political and economic 'wastes' associated.

At the same time, Marx argues that 'the prevailing ideas in society are the ideas of the ruling class,' one important form these ideas take is the break down in the solidarity of workers into different races, nationalities and gender. For this reason nationalist ideology is considered to be anti-democratic. Therefore, notwithstanding that 'the emancipation of the working class is the act of the working class,' class struggle amongst the workers themselves, as a result of 'different levels of consciousness' - necessitates the formation of a political party to lead the workers in their struggle, both against the capitalist class and from factions within their own class.

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[81] Karl Marx, and Friedrich Engels, <u>The Communist Manifesto</u>, pp. 62-65.
'The bourgeoisie…has been the first to show what man's activity can bring about. It has accomplished wonders far surpassing Egyptian pyramids, Roman aqueducts and Gothic cathedrals…The bourgeoisie…draws all nations…into civilization…It has created enormous cities…and thus reduced a considerable part of the population from the idiocy of rural life…The bourgeoisie, during its rule of scarce one hundred years, has created more massive and more colossal productive forces than have all preceding generations together.'

The Marxist, Antonio Gramsci stresses that civil society and its institutions actually contribute to existing hegemony.[82] Civil society theory's assumption that the state can somehow be neutralized by various independent forces in society, and such power can be redistributed to the people's sector, is misguided, if one ignores the issue of class.[83] In addition, this model of state – society relations assumes that there is no alternative to free market capitalism, which Marxism offers.

While the words 'Revolution' and 'Dictatorship,' need not mean an attempt by a minority to impose its will upon a recalcitrant people; it can mean no more than the removal of obstructions (to use Marx phraseology from the Communist Manifesto - 'by degrees…in the course of development') opposed to the will of the people by outworn institutions controlled by groups interested in their preservation. The dictatorship of the proletariat bears a similar interpretation.[84]

Therefore, Marxists enhance the values of socialism by the values of democracy; According to this theory, private control over the means of production is at the bottom, both of the ability of the capitalist class to exploit labor and of its ability to impose the dictates of its class interest upon the management of political affairs of the community; the political power of the capitalist class thus appears to be but a

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[82] Ji Ungpakorn, ed., Radicalising Thailand: New Political Perspectives, p. 301.
'N.G.O. theory, especially Civil Society theory, suggests that the activities of N.G.O.s in strengthening organizations independent from the state, can reduce the power of the state and redistribute such power to the "People's Sector". In opposition to this view, as we have seen above, Marxist such as Gramsci, argued that a strengthened Civil Society merely stabilizes the state.'
[83] Ibid., p. 302.
'Main-stream N.G.O. ideology regarding the modern capitalist state can only be regarded as "reformist". N.G.O.s work within the system, encouraging more "people's" participation and seeking to make minor changes to the existing system, rather than seizing state power and rebuilding a new political system.'
[84] Joseph Schumpeter, Capitalism, Socialism and Democracy, p. 237.
'Whoever is prepared to relax this requirement and to accept either frankly undemocratic procedure or some method of securing formally democratic decision by undemocratic means, thereby proves conclusively that they value other things more highly than democracy itself…To try to force the people to embrace something that is believed to be good and glorious but which they do not actually want - even though they may be expected to like it when they experience its results – is the very hallmark of anti-democratic belief…shelving democracy for the transitional period.'

particular form of its economic power. The inferences are, on the one hand, that there cannot be democracy so long as that power exists – that mere political democracy is of necessity a sham – and, on the other hand, that the elimination of that power will at the same time end the 'exploitation of man by man' and bring about the 'rule of the people'.

2.3 Working Model of Democracy

The properties of Social Democracy (Free and Fair Elections, Open and Accountable Government, Civil and Political Rights, and 'Democratic' Civil Society) serve as a basic political framework in which to organize society. While these principles are based on the justifiable premise of political equality or 'rule of the people,' they are ineffective in the absence of class politics, since without common ownership of the means of production (as well as control over the 'mental' means of production such as the press, TV, and other forms of media), inequality between rich and poor will still remain. Therefore, it is only when liberalization occurs in tandem with participation that one may speak of 'full' democracy. This can only be achieved through the establishment of working class or peasant parties which stand for policies that benefit the poorer sections of society. Similarly, in the case of civil society and its institutions, in order to effectively neutralize the power of the state, class politics is the only effective way to address the inequality of power within society.

This will be the model for which democracy in Thailand will be evaluated, in the course of this thesis.

CHAPTER III

Democracy in Thailand

3.1   General Historical Overview

In general, up until the fifteenth century, other systems of rule, the feudal societies of the west[1] or the *sakdi na* system in Thailand, allowed people to become leaders by virtue of one or more of the following reasons: birth, lot, wealth, violence, cooptation, learning, or appointment.[2] In such systems, contention was constant, and change occurred depending on whether the monarch was temporarily ascendant or in crisis. However, in the case of Western civilization, from roughly the fifteenth century on, the expansion of a market economy gave kings the power to hire mercenaries, build roads on which to deploy them as well as providing access to valuable resources, and hire civil servants to collect taxes, administer rules, and overcome the provincial nobility.[3] In the case of Thailand, by the fifteenth century, political power under the *Sakdi na* system was based on a complex ranking system that specified the position of

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[1] Norbert Elias, The Civilizing Process: State Formation and Civilization (Oxford: Blackwell, 1994), pp. 276-277.
  '…kings were forced to delegate power over part of their territory to other individuals. The state of military, economic and transport arrangements at that time left them no choice…On the other hand the vassals representing the central power were restrained by no oath of allegiance or loyalty from asserting the independence of their area as soon as the relative power positions of the central ruler and his delegates shifted in favour of the latter.'
  [2] Thongchai Winichakul, Siam Mapped (Chiang Mai: Silkworm Books, 1995), p. 103.
'The new administrative methods were very much like the regimes established in a colonial country. Mongkut himself once wished to go to Singapore to learn Western styles of government. Chulalongkorn fulfilled his father's wish from the early years of his reign by going to Singapore, Java, and India where the Thai rulers believed that the government was similar to Europe's and just as civilized.'
  [3] Sidney Tarrow, Power in Movement (Cambridge: Cambridge University Press, 1988), p. 54.
  'Where they could establish a rough balance between the aristocracy and the rising burghers of the towns, they developed a "royal mechanism," which led to the formation of absolutist states – as in France (Elias 1994: ch. 2). Where they were forced to share power with their nobles and eventually with an assertive merchant class, the result was constitutional or segmented monarchy – as in England or the Low Countries. And where they failed altogether to gain territorial sovereignty, the result was a set of loosely confederated states – as in Italy or the German-speaking lands until late in the modern era.'

everyone in society.[4] While classical historians such as Lieberman for example, have compared the 'halting, but sustained, trends to political, cultural, and commercial integration'[5] between that of Europe and mainland Southeast Asia, up to the eighteenth century, other scholars have set about portraying the region in terms of 'autonomous histories.' This 'autonomous' approach which began to emerge in the 1930's, was more 'attuned' to Southeast Asian political aspirations,[6] carried through from the late 60's, until the mid- eighties (when revisionist critiques of Eurocentric global economic history began to appear), a more coherent vision of pre-colonial Southeast Asia, which were the first to link indigenous political change, to global economic shifts, to describe urban, commercial, and religious organization, and to deal

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[4] David Wyatt, Thailand: A Short History (New Haven: Yale University Press, , 2003), pp. 62-64.

'Building upon principles and practices long established in the kingdom, these laws in effect delineated an enormously complex hierarchical society in which the place and position of every individual was carefully specified. The laws assigned to everyone a number of units of *sakdi na*, literally "field power." Although at first this may have at least symbolically represented actual measured rice fields, expressed in terms of *rai* (22 rai = 1 acre), by the fifteenth century it did not carry this meaning, for even Buddhist monks, housewives, slaves, and Chinese merchants were assigned sakdi na. Ordinary peasant freemen were given a sakdi na of 25; slaves, 5; craftsmen employed in government service, 50; and petty officials, from 50 to 400. At the sakdi na rank of 400 began the bureaucratic nobility, the *khunnang*, whose members ranged from the heads of minor departments at a na of 400 to the highest ministers of state, who enjoyed a rank of 10,000. The upper levels of the nobility ranked with the junior members of the royal family, and most princes ranked above them, up to the heir-apparent, whose rank was 100,000.'

'The Chiang Mai chronicles of the fourteenth and fifteenth centuries are filled with warfare; it seems to have occurred almost as a feature of everyday life. The Kingdom of Lan Na was in conflict with nearly all its neighbours at one time or another, and all too often was even at war with itself. This makes Lan Na's success against Ayutthaya's armies all the more impressive and raises the question of the sources of its enduring strength. One aspect of Lan Na's strength is suggested by a chronicle's account of the foundation of a new city at Chiang Saen in 1329. The principality or, perhaps, province of which Chiang Saen was the capital'

[5] Victor Lieberman, Strange Parallels: Southeast Asia in Global Context, c. 800–1830 (Cambridge: Cambridge University Press, 2003), p. 2.

'Whereas Europe as a whole in 1450 had some 500 political units, by the late 19th century the number was closer to 30. Between 1340 and 1820 some 23 independent Southeast Asian kingdoms collapsed into three.'

[6] Ibid., p. 10.

'The sheen of the world religions and foreign cultural forms is a thin and flaking glaze; underneath it the whole of the old indigenous forms has continued to exist…As long as the magic poison of modern capitalism had not yet enchanted Europe…to produce steam, mechanics, and grooved canon, two equal civilizations coexisted, with the Asian quantitatively superior…The collapse of European imperial ideologies favoured a more celebratory, empowering view of the region's past. The view of Southeast Asians as continuously 'in charge' of their own destiny appealed to Westerners who sympathized with Southeast Asian nationalism.'

extensively with commoners and non-elite merchants - thus shifting back toward an externalist historiography. It would seem the bias to interpretation has a strong connection with the events shaping political thought at the time of writing (be it from the perspective of the colonizers; the 'nation-building' process; the two world wars; the deployment of American troops on Thai soil during the war in Vietnam[7] - and the associated Domino Theory[8] - protecting capitalist interests, and the bloody slaughter that took place in an attempt to achieve global hegemony; to the ending of the Cold War and the 'success' of global capitalism).

Similarly, a brief history of the democratization process in Thailand, as given by Chai-Anan Samudavanija is open to debate as a factual account or when considered in terms of the democratic model put forward in this thesis.

Beginning in the mid-nineteenth century, the Siamese elite's conceptions of time, space, human agency and history underwent a major transformation. As a result, the circular time frame of Buddhist cosmology, typified by the continuous cycle of death and rebirth, was replaced by the Positivist conception of history as linear progression, whose culmination was seen in the emergence of modern states.

> "Alone in Southeast Asia Thailand was never colonized, maintaining its independence through the height of the Western imperial presence in the region…Independence in Thailand means that it never experienced the imposition and transfer of institutions from the West that took place in many developing countries. The absence of colonialism also means that traditional structures, particularly the monarchy, the Buddhist Sangha (monastic order), and the military and civil bureaucracy were not disrupted…Because King

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[7] Ibid., p. 10.
'In American universities the Cold War expansion of area-studies programs, with their emphasis on local languages and cultures as suitable subjects in their own right, also encouraged autonomous at the expense of Sinological or Indological approaches. During the 1960s and 1970s, and lingering into the 1980s, bitter academic hostility to American intervention in Vietnam and to the Domino Theory on which that intervention rested, had much the same effect.'

[8] David Wyatt, Studies in Thai History (Chiang Mai: Silkworm Books, 1994), preface. 'The final two articles both try to summarize my thinking about the importance of the reign of King Chulalongkorn. It should be remembered that both articles were written at the height of the Vietnam War controversy in the United States (and Thailand).'

Chulalongkorn (1868-1910) and his advisors were able to respond effectively to the colonial threat, the country also escaped the necessity of overthrowing its colonial yoke. Since no independence movement was necessary, the institutions and ideology concomitant with independence movements around the world – especially political parties and mobilized mass movements – never emerged." [9]

In fact, 'independence' in Thailand at this time was at best nothing more than political autonomy, [10] similar to the Shan state in Burma. The United Kingdom controlled about ninety per cent of Thailand's trade; territory was ceded to both Britain and France as late as 1907. [11] The Paknam crisis of 1893 [12] almost ended Chulalongkorn's reign and 'not many people thought that the king could survive (Winichakul: 141). Siam did not achieve full autonomy and become a sovereign nation until 1926. [13] Modernizing reforms are underscored by political vulnerability in the early years, [14] but the transformation of the bureaucracy, [15] exhibits the degree to which central control over government could be established by the king. [16]

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[9] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization (Bangkok: Institute of Public Policy Studies, 2002), pp. 82-83.

[10] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand (Bangkok: Arom Pongpangan Foundadation, 1997), p. 41.
'Both the British and the French set up their trading head-quarters on the banks of the river for strategic reasons…"Diplomatic" points could be made to the government by sailing a gun-boat up the river and mooring it at the appropriate diplomatic mission.'

[11] Thongchai Winichakul, Siam Mapped (Chiang Mai: Silkworm Books, 1995), pp. 128-130.
'No boundary line was shown on any frontier except that separating Siam and British Burma…there was no boundary in the Mekhong region. The geo body of Siam was reshaped by many treaties with Britain and France in 1893, 1899, 1902, 1904, and 1907 and by means of cartographic techniques…In the history of the geo-body, however, the annexation of the otherwise autonomous units was executed ambitiously and aggressively by the new administrative mechanism as well as by military force…Perhaps more than has been realized, the regime of mapping did not passively reflect Siam. Rather, it has actively structured "Siam" in our minds as well as on earth.'

[12] Noel Battye, "The Military, Government and Society in Siam, 1868-1910," Doctorate thesis, Cornell University, 1974, p. 270.
'[Siam's] sense of insecurity mounted, her self-respect cracked…The king, who had been ill throughout the crisis, suffered a physical and moral collapse. He lost some forty-two pounds in weight between August and November and openly declared his loss of interest in life.'

[13] David Wyatt, Thailand: A Short History (New Haven: Yale University Press, 2003), pp.218-219.
'The effort was long and arduous, and took from 1920 to 1926. France finally agreed, in February 1925, followed by Britain in July; within the next year all the other treaty powers had followed suit…The long battle was finally won; Siam had fully regained its sovereignty.'

[14] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand (Bangkok: Arom Pongpangan Foundadation, 1997), p. 43.

"The development of the nation-state in Europe was conditioned by the rise of capitalism which in turn created and reproduced liberal democracy…The rise of a modern nation-state in late nineteenth-century Thailand is in sharp contrast to that of the West, although technical aspects of Western civilization were utilized to systematize and centralize state power and its bureaucracy. The development of the Thai nation-state as an independent state having a non-liberal regime and a closed society with a dependent ethnic bourgeoisie is, therefore, much more complex than the development of the nation-state in the West…Although the modern nation-state in Thailand was created to centralize state power, the nation building process did not essentially change the character of the state (its regime) or the identity of the nation".[17]

As discussed earlier, while capitalism created the information and industrial revolutions, allowing mass communication - liberal democracy was born out of the social movements that challenged the ruling elites, in order to counter capitalist exploitation. As one of the hallmark's of the nation state, King Chulalongkorn built up a standing army and police force.[18] Following the models of the Dutch East Indies,

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'Politically, the monarchy of King Rama V was in an especially vulnerable position with regard to the nobles during the early years. The king, who came to the throne at the age of 15, was placed under the guidance of Somdej-Prayabarom-MahaSri-Suriyawong, an influential member of the powerful Bunnag noble family. In 1873 the king moved to take economic control from the Bunnag nobility by establishing a Finance Office to unify tax collection under the king's authority. This struggle was made easier by the increased monetarisation of the economy and the reliance on hired labour and tax, rather than forced labour, for raising revenue. Tax collection was sub-contracted (or 'farmed') out to Chinese businessmen, answerable to the king, thus avoiding the use of local rulers who had traditionally been used to mobilise forced labour.'

[15] David Wyatt, Thailand: A Short History, p. 206.

'Chulalongkorn then was able to stage a "revolution from above" in his program of modernization…That segment of the elite that had had little power threw off the power of the great families. The monarchy under Mongkut had been unable to modernize unable to lead the way to fundamental change, and it was at the mercy of the leading families and ministries for support and for the execution of state policy. By placing his own men in all the key ministries of state – the tactic that Suriyawong so successfully had employed in the Fourth and early Fifth reigns – and by choosing men without independent position and power, the king was able to subordinate the bureaucracy to his own will and with them to forge a unity and coherence of policy that made possible a consistent and forceful commitment to reform.'

[16] Thongchai Winichakul, Siam Mapped, p. 205.

'The princes were particularly powerful within the army and navy, and by no accident, because Chulalongkorn foresaw an increased role for the military in the life of the state.'

[17] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, pp. 59-60.

[18] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand, p. 45.

'King Chulalongkorn needed to establish a standing army in order to have a monopoly of military power. Previously military personnel had been recruited under the Sakdina system from war captives or by local rulers on behalf of the king. The conquests of the outer regions required a military force that was directly under the control of the centralised state. Chulalongkorn introduced conscription in 1904. A national police force had also been formed in 1897 under the control of the new Ministry of the Interior. These 'bodies of armed men' were created to protect the interests of capital and its new state, not initially against any threats from below, but in the struggle with the nobles and local rulers. It was after 1932, that the army's major function became the suppression of threats from below.'

British Malaya, and India (though notably not the parliamentary systems of the United

Kingdom for example)[19] as well as rationalizing and centralizing royal government,

eliminating traditional semi-autonomous tributary statelets,[20] and promoting economic

development somewhat along colonial lines.[21] He instituted the requisite principle of

succession-by-legal-primogeniture,[22] thus bringing Siam into line with the 'civilized'

monarchies of Europe, introduced a fixed currency exchange rate, based on gold

regulated by the Treasury, as well as bank notes, issued in local Thai currency. Two

further institutions of power modeled on the European nation state that were

introduced were maps and museums. The Fifth Reign also marked the beginnings of a

dramatic increase in the Chinese population as a source of free labor (since the

'traditional' wars of conquest were no longer possible in the territories now held by

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[19] Thongchai Winichakul, <u>Siam Mapped</u>, p. 103.

'The new administrative methods were very much like the regimes established in a colonial country. Mongkut himself once wished to go to Singapore to learn Western styles of government. Chulalongkorn fulfilled his father's wish from the early years of his reign by going to Singapore, Java, and India where the Thai rulers believed that the government was similar to Europe's and just as civilized.'

[20] Ibid., pp. 127-129.

'Through Mc Carthy, geography gave the Siamese force the knowledge of where to establish a border control and boundary markings. It was Mc Carthy who drafted the operation map and the map of the boundary of Siam in 1887 to support Siam's claim and support the military operation…It was this triumph of modern geography that eliminated the possibility, let alone opportunity, of those tiny chiefdoms being allowed to exist as they had done for centuries. In other words, the modern discourse of mapping was the ultimate conqueror. Its power was exercised through the actions of major agents representing the contending countries. The new geographical knowledge was the force behind every stage of conceiving, projecting, and creating the new entity.'

[21] Ji Ungpakorn, <u>The Struggle for Democracy and Social Justice in Thailand</u>, p. 42.

'In 1855 King Rama IV signed the Bowring Treaty with the British representative Sir John Bowring. The most important clause in this treaty was the abolition of the crown monopoly of trade and its ability to determine the rate of taxation. The monarchy agreed to permit free trade by private merchants and agreed to the British dictating the level of import duty, which was set at a maximum flat rate of 3%. The result was that, although the existing system of raising revenue from monopoly trade was undermined, the opportunities for trade on the world market were vastly expanded. In order to take advantage of these opportunities, rice production needed to be increased. This required a source of productive free labour.'

[22] Kobkua Suwannathat-Pian, <u>Kings, Country and Constitutions: Thailand's Political Development 1932 – 2000</u> (London and New York: RoutledgeCurzon, 2003), p. 5.

'Outstanding among the said efforts to institutionalizing the monarchy was the institution of the Crown Prince or heir apparent which had revealed at least one of its serious inherent weaknesses since the ascendancy of King Vajiravudh to the throne. Sayre's recommendations concerning the said institution aimed to ensure that only a capable candidate ascended the Thai absolutist throne.'

the imperial powers).[23] Thus, the creation of the Thai nation-state was in no way 'more complex' than those of Europe; the by now 'standardized' model was achieved in a shorter timeframe, and significantly demands from below to be admitted to the political process were initially circumvented by recruiting an 'impudent' working class.

> "Under the absolute monarchy the nation-state was only a technical and administrative instrument of the regime. There was no need to build either a national identity or a state-identity since the identity of the nation-state or "Siam-rat" was inseparable from the reigning monarch. It is not surprising, therefore, that state-identity creation and nationalism in Thailand became a separate process from democratization. In fact, bureaucratic and military elites have always sought to establish, maintain and reproduce a state identity separate from that of society in order to escape being encompassed by social forces. The creation of state-identity is, therefore, an artificial process intended to augment the capacity of the bureaucratic and military elites to prevent the emergent forces in civil society from controlling the state. It involves using the idioms and symbols of the state to legitimize its domination and self-aggrandizement." [24]

Creating a state-identity in order to 'augment the capacity of the bureaucratic and military elites,' to prevent the emergent forces in civil society, is the antithesis of the concept of democracy understood as 'rule of the people.' Furthermore, King Vajiravudh's idea of the 'Thai nation' founded on the triad of 'nation-religion-king,' (though significantly not on 'the people'), in which all three elements are inextricably bound together. Allegiance to any one of the three meant loyalty to all three, and conversely disloyalty, or disobedience, or disrespect toward one, meant disrespect toward all - institutionalizes a hierarchical, paternal ordering of society. With the coronation of King Vajiravudh in 1911,[25] his reign is underscored by political

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[23] Benedict Anderson, <u>Imagined Communities</u> (New York: Verso, 2003), p. 100.
'Indeed the policy made good short term sense for a dynastic state, since it created an impotent working class 'outside' Thai society and left that society largely "undisturbed."
[24] Chai-Anan Samudavanija, <u>Thailand: State Building, Democracy and Globalization</u>, p. 61.
[25] David Wyatt, <u>Thailand: A Short History</u>, p. 211.

vulnerability;[26] the seizure of political and administrative control by an ever-narrowing social group;[27] it marks the rise of nationalism; and the creation of two military organizations (as a result of both internal and external dynamics).[28] The first was a new unit to guard the royal residence while the second was something unprecedented, the so-called Wild Tiger Corps, a nationwide mass paramilitary corps whose chief stated function was to defend 'nation, religion, and king' against all enemies, domestic and foreign, and to 'promote' the unity of the Siamese. These developments took place against the rise of organized labour in both Thailand,[29] the West, and the Chinese Revolution of October 1911.

'It cost the treasury in excess of 5 million baht, equivalent to about 8 per cent of the state budget for that year. Lavish spending was to become a hallmark of his reign.'

[26] Ibid., p. 215.

'If in retrospect the abortive 1912 coup seems minor, at the time it was not…It represented the beginning of a new kind of politics…It was not immediately publicized, but news of the plot and the arrests spread quickly through Bangkok, along with a host of criticisms against the king and the government…In the course of 1912, Vajiravudh made some administrative and personnel changes…These appointments were viewed as an act on the part of the king to intervene more directly in government…In order both to quell rumours about his profligate expenditures and to devise a sounder approach to financing necessary development, the king in March 1912 appointed a Committee to Inspect State Revenues…By 1913, the state again was showing a substantial surplus of revenues over expenditures.'

[27] Benadict Anderson, Imagined Communities, p. 21.

'To this day, Vajiravudh's reign remains controversial. It was even more so in his own time, probably because of a combination of the king's personality and his Westernized style. The King's preference for the company of male favorites by itself was not politically important until people perceived that it was affecting the distribution of power within his government and greatly inflating royal expenditures. At that point, the king came under criticism on all grounds, as Prince Rakronnaret had in 1848.'

[28] Benedict Anderson, The Spectre of Comparisons (New York: Verso, 2002), p. 163.

'The Thai "absolute monarchy" came closest to realization precisely when Siam was most completely at the mercy of the Europeans… It is unlikely that Rama VI or VII would have come to the throne under pre-imperialist conditions, as they lacked much real politico-military competence. Second, it put an end to the possibility of a new dynasty.'

[29] Kevin Hewison and Andrew Brown, "Labour and Unions in an Industrialising Thailand," Journal of Contemporary Asia 24 (1994), p. 487.

On the first General Strike over the poll tax in 1910 'This broke out on 1 June and was reportedly the result of changes made to the collection of the head-tax, affecting Chinese. While there is some doubt whether or not this was the central issue, it is noteworthy that rickshaw pullers, dock workers, cargo and rice mill coolies, fishermen and construction workers all took the opportunity to strike'.

Nationalism during King Vajiravudh's reign may be said to take two forms; what Gellner terms sociological modernism[30] and economic nationalism.[31] The association of the monarchy with implementing modernization, and justification as political authority depended on competent governance (and not some legitimate 'divine' right) judging by the consistent build-up of the military institutions and class-struggle from below.

King Prajadhibok came to the throne at a time of chronic problems. The most urgent of these was economic: the finances of the state were in chaos, the budget heavily in deficit, and the royal accounts in disarray and underscored by questionable transactions.[32] As a result, in October 1926 Pridi Panomyong and Prayoon Pamorn-montri, founded the People's Party in order to plan the overthrow of the absolute monarchy,[33] and in 1932, absolute rule by the king was ended in Thailand.[34] The

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[30] Michael Leifer, ed., Asian Nationalism (London: Routledge, 2000), p. 5.

'On the one hand, the great wave of modernisation erodes traditional structures of family, religion and community. Villagers are driven from the countryside, their livelihoods are destroyed, their religious codes are swept aside, and they become disoriented in the anonymous cities into which they flock in search of homes, jobs and education.'

[31] Benedict Anderson Imagined Communities, p. 100.

'The target of this nationalism, however, was neither the United Kingdom, which controlled 90 per cent of Siam's trade, nor France, which had recently made off with easterly segments of the old realm: it was the Chinese…The style of his anti-Chinese stance is suggested by the titles of two of his most famous pamphlets: *The Jews of the Orient* (1914), and *Clogs on Our Wheels* (1915).'

[32] David Wyatt, Thailand: A Short History, p. 222.

'Prajadhipok's was the shortest, and probably the most controversial, reign in the history of the Chakri dynasty. It both began and ended under clouds of criticism and unrest, dogged almost continually by economic problems.'

[33] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand, p. 47.

'It was not just those who had been abroad who were in favour of change. Pridi found that…"when I returned to Thailand in 1927…there was a new generation of people who had never seen democracy at work in the west, but who were conscious that the absolute monarchy had to change". By 1932, the People's Party had enlisted the support of at least four senior army officers, and had almost 100 active supporters. Discontent multiplied as the 1930's recession hit the Thai economy…Between 1929 and 1931 there was a 60% fall in the farm price of rice. In some rural areas, consumption expenditure by peasants, along with wages paid to farm labourers, fell by 50%. A flood or rural petitions complaining about the economic effects of the recession and demanding reductions in taxes, was received by the government. Urban wages also fell 20% between 1931 and 1932. As government revenue fell, due to falling foreign trade and the world currency crisis, the absolute monarchy was forced to announce widespread wage cuts in the civil service and army and a new series of taxes that fell heavily on salaried employees'

[34] Michael Connors, Democracy and National Identity in Thailand (New York and London: RoutledgeCurzon, 2003), p. 38.

1932 revolution transformed the Thai capitalist state, from a centralized absolute

monarchy, to a new form of semi-authoritarian rule as a constitutional monarchy, and

was achieved with the support of class struggle from below,[35] despite the fact that the

leadership of the revolution was in the hands of civilian and military members of the

state bureaucracy.[36]

> "Since 1932 the bureaucratic elites have been the prime movers in political institutional arrangements under different constitutions. Because of periodic changes in the rules of the game, the scope of political competition, the level of political participation, and the extent to which civil and political liberties are guaranteed have varied according to the nature of the regime".[37]

While Pridi's political support came from the People's Party,[38] Phibul's

legitimacy came from nationalistic propagandizing, with for example the promotion of

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'On overthrowing the absolute monarchy in June 1932, the revolutionary People's Party built on earlier discourses of national citizenship to formulate a new conception of an individual's relationship to the state. The revolution's intellectual leader Pridi Phanomyong, a French-educated lawyer, was well versed in Western constitutional and utopian radical thought, and this is reflected in a crucial text, the *Announcement of the People's Party*, issued during the revolution. The *Announcement* criticized the monarchical state as dishonest, corrupt and indifferent to the people's sufferings. Furthermore: "The king's government held people as slaves…animals, and did not consider them as human beings. Thus, instead of helping them, it continued to plant rice on the back of the people. The *Announcement* further attacked the arbitrary and nepotistic rot of the monarchical state. It also marked a forceful reconceptualization of the relations between the state and the people: "People! Let it be known that our country belongs to the people and not to the king as was deceived. Our forefathers had rescued the freedom of the country from the hands of the enemy. The royalty only took advantage and gathered millions for themselves."

[35] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand, p. 5 0.

'Newspapers also proliferated before and after the revolution. What was significant was that they were deliberately printed in "low Thai," which was easily understood by ordinary people. These newspapers advocated political change…The revolution of 1932 was accompanied by strikes by Bangkok and provincial towns…In 1932 farmers successfully forced landlords to reduce rents by refusing to pay them in the face of a collapse in the price of rice. Petitions demanding a reduction in land tax also forced the monarchy to reduce this tax.'

[36] Benedict Anderson, The Spectre of Comparisons, p. 163.

'The leaders of the 1932 coup decisively put an end to the monarchy's direct, practical political power without, however, attempting any serious or permanent undermining of its cultural centrality and 'nationalist' prestige.'

[37] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, p. 86.

[38] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand, p. 52.

'Pridi's political support came from the Peoples Party, which he tried to build into a mass party. He was not very successful in doing this…His only hope would have been to build a mass party of the government bureaucracy. Yet this bureaucracy was hopelessly split, with only a minority of the mainly civilian faction supporting Pridi. General Pibun, on the other hand, based his political support firmly in the military…His reliance on military power allowed his faction to dominate the government, without the need to build a mass party with majority support.'

a 'Thai buy Thai' campaign as a form of economic nationalism to support the fledgling economy after the crisis of the great depression; and from the military which was crafted to be seen as custodian of the public's interests.[39] Phibul's nationalism was strongly modernist and he intentionally distanced himself from the monarchy, and rallied the people around new symbols such as the national flag and anthem, while making the military appear custodian of the people's interests.[40] He also used the mass media, especially radio, to build up his charisma. The Phibul era of the late 1930s and early 1940s marks a real political, cultural and ideological change in the Thai nation-state.

However in terms of democratization, the 1932 revolution ultimately failed in building up political parties which would be elected based on majority support. The cultural mandates,[41] aimed at creating a 'modern citizen' were 'anti-Chinese' and 'anti-Malay'[42] and resistance to them was crushed by the military with massive force.

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[39] David Wyatt, Thailand: A Short History, p. 243.

'One particularly strong thrust to the Phibun government's policies was their economic nationalism, 'Thailand for the Thai.' The issue had become increasingly important to the elected members of the assembly over the previous few years. In part this derived from the still frustratingly slow economic development of the countryside and the tendency to blame the apparently more prosperous Chinese, for example, with the myth of the usurious Chinese middleman and moneylender. In addition, however, there were at least two new elements in the situation that fueled anti-Chinese sentiment. The first was growing awareness of the large amounts of money remitted each year by Chinese in Thailand to their relatives in China, which constituted a formidable drain on the Thai economy. The second was the growth of Chinese nationalism in Thailand. This flared particularly when the Sino-Japanese War began in 1937 and Siam's Chinese organized anti-Japanese boycotts and thereby harmed both the Thai economy, for which Japan had become the major trading partner, and Thai foreign relations.'

[40] Benedict Anderson, The Spectre of Comparisons, p. 163.

'Able, ruthless figures like Phibun and Sarit, in many ways very similar types to Rama I, could no longer start new royal lines. In Phibun's expansionist and irredentist policies of the late 1930s and early 1940s, however, one can see clear dynastic lineaments. He was, as it were, restoring Greater Siam (bits of Burma, Cambodia, Laos, and Malaya), as kings Taksin and Rama I had done before him.'

[41] Michael Connors, Democracy and National Identity in Thailand, p. 41.

'These state preferences were the first extensive project, apart from developments in education, of subject reform aimed at producing a modern citizen.'

[42] David Wyatt, Thailand: A Short History, pp. 257-258.

'The efforts by Phibun's government late in the war to enforce the Cultural Mandates and to substitute Siamese for Islamic law had provoked serious resistance with strong popular support. The Khaung and Thamrong governments lessened the pressures, but new issues arose with the application in the south of the educational policies that had been aimed primarily against the Chinese – Malay

Laws were passed to give wider power to control the press, and when Thailand entered

the war in 1942, strict censorship was imposed so that public opinion might be

controlled. The pattern was established that those who controlled the government

made up their own rules for exercising power and for keeping others away from it. Just

like the governments that preceded them, and those that were to follow - were

constitutional regimes - but with the important qualification that the constitution was

subordinate to the government, not the other way around.[43]

> "Political parties in Thailand, therefore, emerged as late as 1946 and
> were only recognized as legal entities nine years later in 1955. What was
> institutionalized instead was the political role of the bureaucratic elites. The
> new leadership relied upon the bureaucracy to play a leading role in educating
> and mobilizing the mass to participate in elections, as well as to learn about
> democracy through the system of constitution." [44]

In Thailand, (known as Siam until 1939), the institutionalization of the nation's

cultural heritage, as in most countries, is a reflection of modernization. The Cultural

Mandates of the Phibul era which were 'anti-Chinese' and 'anti-Malay' were

redressed by the People's Party government which came to power at the conclusion of

the Pacific War, changed the name of the country back to Siam in an effort to include

all peoples within the nation, whatever their ethnicity. Furthermore, the 'Manual for

Citizens' produced by the Department of the Interior in 1936 and reissued, in revised

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schooling was forbidden. Malays in the south felt like subjects of an alien colonial regime and, in August 1947, submitted to the government a list of demands, calling for regional administrative, education, fiscal, religious, linguistic, and judicial autonomy…Phibun's response on coming to power was the arrest and imprisonment of the chief Malay leaders in the four provinces and the outlawing of Malay and Islamic organizations. By April 1948 there was large-scale insurgency in the south, put down by government troops with massive force that included aerial bombardment.'

[43] David Wyatt, Thailand: A Short History, p. 258.

'But the façade of constitutional democracy remained. Thailand was now receiving economic and military assistance from the United States and favors from international organizations, and Phibun could not afford to jeopardize those by dispensing with the constitutional fictions that seemed so to impress the international community.'

[44] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, p. 86.

form, in 1948 represented an attempt by the governing People's Party to develop an appropriate, and broadly accepted, language of constitutional monarchy. The document distributed in pamphlet form clearly indicates democracy as the most desirable form of government but the need for the 'training of citizens' is also emphasized if the abuse of democratic rights was to be avoided. The task of citizen education was taken up in the 'Project for Democratic Citizens' coordinated by the Local Administration Department (LAD). It sought to promote democracy education to facilitate the operation of local government institutions, such as sub-district councils. The various manuals produced by the project provided guidance on matters such as the meaning of democracy, rights and freedoms with regard to the common interest, the nature of good citizenship, and the relation between democracy and 'Thainess'.[45]

> "The split between Phao, the police chief, and Sarit, the army chief, was seen as an attempt by Pibul to maintain his power by manipulating and balancing off these two factions. However, the events of 1955 to 1957 culminated in the coup of September 1957 in which Sarit ousted both Pibul and Phao. This coup mainly concerned a succession conflict…However, as a result of the inability of the government to control the internal strife within its supported party as well as deteriorating economic conditions, Sarit staged another coup in October 1958. This time he abrogated the constitution, dissolved the parliament; banned political parties; arrested several politicians, journalists, writers, and labor leaders; declared martial law; and imposed censorship on newspapers." [46]

While the 'Manual for Citizens' promoted democracy as the best form of government, equality was only espoused in political and legal terms, but not in

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[45] Michael Connors, <u>Democracy and National Identity in Thailand,</u> p. 64.

'State-centred discourses postulated a central role for the agencies of the state in propagating and developing democracy. A central task confronting ideologists entailed matching ideological claims about Thai democracy as a developmental democracy and linking this to the existing governmental apparatus that reached across the nation. This was achieved by presenting the state as the universal embodiment of the Thai nation, charged with developing its people materially, spiritually and politically. Such expansive claims were aided by the deployment of Buddhism and the monarchy.'

[46] Chai-Anan Samudavanija, <u>Thailand: State Building, Democracy and Globalization,</u> p. 91.

economic terms, emphasizing the privilege of the rich to rule.[47] The rise of Sarit[48]

and revitalization of the monarchy was a symbiotic relationship in which one needed

the other; Sarit in order for 'legitimacy' to consolidate his power base, and the

monarchy for military protection. Sarit adopted a paternalistic approach to rule, in

order to stem potential challenges from the revitalized bureaucracy.[49] Since 1957, the

principal political function of the throne was to legitimize (or not to legitimize) the

regime in power. In the end, short-term strength and stability were purchased at the

price of foregoing democratic principles such as the parliamentary process, and civil

and political rights.

> "Sarit's rule (1958-1963) has been characterized as a dictatorship, as a benevolent despotism, and as military rule. However, as a noted scholar of this period observed, Sarit's 1958 coup marked the beginning of a new political system that endured until at least the early 1970's. What Sarit did in effect was to overthrow a whole political system inherited from 1932, and to create one that could be termed more "Thai" in character (Thak 1979, 140-141). Apart from his strongly anticommunist policy and his initiation of a National Development Plan that opened the way for the tremendous developmental activities of the following decades, the most significant change Sarit brought to the Thai political system was the activation of the role of the monarchy…The relative political weakness of Sarit's successors brought the

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[47] Michael Connors, <u>Democracy and National Identity in Thailand,</u> p. 46.
'While democracy is described as the best form of government in the 1936 manual, a cautious note is struck because "it can be disastrous when the people do not know how to use their rights". Therefore the manual called for the training of citizens. Evident in both texts is a particular concern to emphasize that democracy does not mean equality in economic terms, but only in political and legal terms: after all, "in every milieu there must be seniors (*phuyai*) and juniors (*phunoi*), commanders and commanded."

[48] David Wyatt, <u>Thailand: A Short History</u>, p. 264.
'The two leading rivals of Phibun both had very substantial private incomes, though both were of modest origins. General Phao among other things had a leading role in the illegal opium trade (while heading the police department)…General Sarit was financed by lucrative takings from the Government Lottery Bureau. They used their funds to build personal followings and support political activities, and both of them rapidly grew into formidable rivals to a Phibun whose power and repute were waning by the mid-fifties.'

[49] Michael Connors, <u>Democracy and National Identity in Thailand</u>, p. 8.
'Phillips and Wilson, writing in the 1960s, expressed a fear that the development of a rationalized bureaucracy in Thailand would pose dangers for regime legitimacy. From their perspective, Thais did not seek self-determination, preferring to be led by a government that had the "attributes of a strong, wise, but indulgent father". They recommended, therefore, the revitalization of traditional functions of government in which the benevolent aspect was emphasized and ritualized for the sake of internal security.'

throne even more clearly to the center of the political stage (Thak 1979, 334)."[50]

Sarit was an absolute dictator who ruled with an iron-fist;[51] notorious for large-scale corruption,[52] and ruthless suppression of political opponents.[53] The political system of Sarit marked a deliberate shift away from Western style democracy.[54]

"In 1968 a new constitution was promulgated after ten years of drafting. The familiar vicious cycle of Thai politics, evident in earlier periods, recurred. A semi-parliamentary system was established with a two-house legislature. Two years after that, conflicts developed within the government-supported party, leading to a military coup in November 1971. Another interim constitution was promulgated, providing for a single constituent assembly composed entirely of appointed members, most of whom were military and civil bureaucrats." [55]

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[50] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, p. 92.

[51] Suwannathat-Pian, Kobkua, Kings, Country and Constitutions: Thailand's Political Development 1932 – 2000 (London and New York: RoutledgeCurzon, 2003), p. 156.

'Though the relations between the King and Sarit were far from close at this time, they were clearly cordial and friendly. Bhumibol became very supportive of Sarit's policies, both domestic and foreign. The unthinkable partnership was definitely up and running. This partnership that eventually resulted in the strengthening of Thailand's constitutional monarchy, was ironically forged amidst the dismemberment of the constitutional system as practiced by the Thais since 1932. Sarit thus began his personal reign of power as "a virtual dictator" though the field marshal promised a new order within ninety days "to be based on democratic principles" in not on Western democratic practice. Within one year, Sarit earned much respect and the goodwill of his royal master and was looked upon with favour by most members of the court.

[52] Ibid., p. 162.

'At one time, it was estimated that the wealth of the Field Marshal was as much as 1,600 million baht [later the amount was fixed at 622 million baht]. More shocks awaited the Thais. It was revealed that immense wealth was not the only thing accumulated by the Field Marshal. Numerous mistresses/minor wives were also kept by Sarit during his short period in power. The press had a field day digging up whatever scandalous tit-bits concerning the Field Marshal's love life, wealth, and personal habits to feed, it appeared, the insatiable curiosity of the Thai public.'

[53] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand, p. 87.

'The Sarit coup in 1958 resulted in greater repression. In 1959 Supachai Srisati, and ten others, were arrested for issuing a leaflet in the name of the Labour Congress of Thailand, which denounced the dictatorship. Supachai was then executed in Bang Kwang prison for being a "Communist". In May 1961, the former socialist member of parliament for Sakon Nakorn, Khrong Chandawong, was executed…As an MP he proposed two unsuccessful bills, one to abolish the Anti-Communist Act, and one to allow periodic elections of village officials (Kamnan).

[54] Michael Connors, Democracy and National Identity in Thailand, pp. 48-49.

'In the late 1950s and early 1960s, then, notions of Thai-style democracy (prachathipatai baep thai) emerged as a basic component of Thai military and bureaucratic ideology. Under Sarit a deliberate shift away from a "Western" ideology of democratic government occurred, making redundant the use of the citizens' manuals.

[55] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, p. 92.

The huge American presence on Thai soil[56] as well as encouragement offered by the success of the communist struggle in Vietnam created a precarious situation for the ruling elite in Thailand (and the period is marked by an international wave of class struggle which peaked with the events in Paris in 1968).[57] The economic disparities between *Isan* and other parts of the country, had seen the Communist Party of Thailand (C.P.T.) begin to engage state forces in 1965, once peaceful resistance was suppressed by the Sarit regime. While corruption and nepotism prospered amongst the ruling elite, the threat of revolution saw the re-appointment of General Thanom as premier.[58]

> "After the 1971 coup a new and ambitious strongman emerged:
> Colonel Narong Kittikachorn, the prime minister's son and Deputy Prime

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[56] Benedict Anderson, <u>The Spectre of Comparisons</u>, p. 168.

'In Siam itself, the huge American presence was generating serious social problems – rampant prostitution, fatherless mixed-blood babies, drug addiction, pollution, and sleazy commercialization of many aspects of Thai life. By the early 1970s an increasingly strong-anti-American (and anti-Japanese) nationalism was making itself felt.'

[57] Ibid., pp. 167-168.

'Students and intellectuals in particular were profoundly affected by the Vietnam war. The courage and stamina with which the Vietnamese resisted the American juggernaut aroused increasing admiration…But on the national issue, the Left quickly went onto the offensive, making its case more or less along the following lines: just as Phibunsongkhram had collaborated with the Japanese, so Sarit and his heirs had betrayed the country to the Americans. Never before in Thai history had almost 50,000 foreign troops been stationed on Thai soil. The economy had been allowed to fall overwhelmingly into foreign hands. For all the talk of national identity, the dictators had complacently permitted the corruption of Thai society and culture.'

[58] Suwannathat-Pian, Kobkua, <u>Kings, Country and Constitutions: Thailand's Political Development 1932 – 2000</u>, pp. 165-166.

'By the end of the decade, it was for His Majesty that the average Thai in the capital or countryside reserved his personal allegiance. Most Thais realized however that His Majesty's political prestige and influence over the ruling clique were limited either by the concept constitutional monarchy being above politics, or by the failings on the part of those in power to heed His Majesty's advice and suggestions. Bhumibol himself, it appeared, kept out of politics though he was most interested in the socio-political problems of the country. He was also known to be sharp in his questioning of ministers and intolerant of corruption...The promulgation of the 1968 Constitution was a triumph for the King who was known to be in favour of greater political freedom and was much ahead of his Government in this respect, though, of course not to the extent that it might jeopardize the position of the monarchy. Such reservation is important to bear in mind if we are to understand the King's subsequent about-turn concerning political freedom and the liberalization of Thai society and politics since 1976…Many old hands predicted that the King would opt for a civilian Prime Minister in keeping with the spirit of the Constitution…However, His Majesty revealed to Kukrit that he would appoint Thanom again as Premier. It was clear that King Bhumibol still believed that the security and stability of the nation required the political participation of the military big brass. The King saw no valid reasons to risk the security of the nation, and the monarchy which came under communist threats, to an untried and untested civilian rule.'

Minister Praphat's son-in-law…he acted as head of a new Committee to Suppress Elements Detrimental to Society, and was also made deputy secretary-general of a new anti-corruption agency. This kind of dynastic succession, never before seen in the Thai military, generated tremendous discontent and criticism from the general public." [59]

Second, was the more deeply liberal and idealistic struggle for a form of constitutional and representative democracy. [60]

"Leaders of the student movement were well aware that the growing popular animosity to Narong and the military offered a potentially unique opportunity to put pressure on the military for political reforms, a new constitution , and an elected parliament. On 6 October 1973 student leaders and political activists were arrested while they were distributing leaflets demanding immediate promulgation of a new constitution. The government announced that the police had uncovered a communist plot to overthrow the administration…From 6 October through 13 October hundreds of thousands of students and others gathered to support the cause of the jailed students. Although the government agreed to release the students and promised to quicken the drafting of the new constitution, riot police on the morning of 14 October clashed with a group of demonstrators in front of the royal place, thereby sparking violence in other parts of the city…The student-led uprising of 14 October 1973 brought back once again the period of open politics and democratic experimentation. The 1974 Constitution was patterned after the 1949 constitution…From 1974 to 1976 the political climate in Thailand became highly volatile. Pressure group politics, mobilization, polarization, and confrontation replaced the usual political acquiescence and the achievement of consensus through bargaining between established patron-client factions .The students, labor unions, and farmer groups were the most active in expressing grievances and making demands, which led them into conflict with government officials, business interests, and landowners." [61]

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[59] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, p. 93.

[60] Michael Connors, Democracy and National Identity in Thailand, p. 61.

'A combination of economic growth and new political confidence led to demands for political liberalization by the new social forces that growth had spawned, and a rejection of the Saritian formula imposed between 1958 and 1968. While this formula was partially lifted in the period 1969-71, when Prime Minister Thanom Kittikachorn experimented with a new constitution allowing for executive dominance by the bureaucracy and military in a parliamentary frame, it was reimposed after a coup led by forces in the government itself. It was claimed, by one of the coup group [Thanom Kittikachorn], that "the current world situation and the increasing threat to the nation's security required prompt action, which is not possible through due process of law under the present constitution.'

[61] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, pp. 93-94.

The student-led popular uprising in October 1973, against the military which had been in power since 1957, was seen as a major breakthrough in Thai politics. The mass movement was the peak of a wave of protests against social injustice that gradually accumulated over the period, clearly demonstrating the potential for political change to arise from class struggle. The 1975 General Election saw Left-wing political parties win 14.4% of the national vote.[62] However, the establishment of parliamentary democracy alone did not begin to address the deep-rooted social problems in Thai society, and between 1974 and 1976, protests, strikes, and labor unrest intensified. The actions of the police and Right-wing mobs on 6th October were the reaction of the ruling class to crush the further development of a socialist movement in Thailand.[63]

> "Thanin's anticommunist zeal brought about rigorous indoctrination of civil servants, repressive educational control, pressure on labor unions, severe press censorship, and a rigid foreign policy. The military leaders, especially the emerging "Young Turks" in the army, became convinced that Thanin was leading the country to disaster, that his extremist policies were having a most divisive effect and were indirectly strengthening the CPT. On 20 October 1977 the Thanin government was overthrown by the same group that had staged the coup that brought Thanin to power one year earlier." [64]

The obvious lack of legitimacy of the government put in power, coupled with increased repression, with thousands of students and city-dwellers fleeing to the jungle to join the CPT; the events of 6th October 1976[65] also mark a resurgent nationalism to

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[62] Ji Ungpakorn, ed. Radicalising Thailand: New Political Perspectives, p. 202.
'Left-wing political parties, such as the Socialist Party, the Socialist Front and *Palang Mai* (New Force) stood candidates and won 14.4% of the national vote (2.5 million votes) in the 1975 General Election.'
[63] Ibid., p. 193.
'The events of 6th October and the subsequent coup were not a simple return to military rule. They were an attempt to crush the popular movement for social justice. They were an attempt to eradicate the Left and strengthen the position of the elite.'
[64] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, p. 98.
[65] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand, p. 72.
'Those who now pose as democratic politicians sided with the anti-democratic thugs and murderers in the bloody events of 1976. Pramarn Adirksarn, who has been in the Chart Thai party, told a meeting of the cabinet on 6th October 1976 that the coup was the best chance to destroy the student movement. Chatichai Choonhaven's response to the coup that day was to appear in public wearing a

counter a rise in Marxist interpretations of Thai history which marginalized the traditionalist royalist-nationalist mythology.[66] Thus, in the mid-1970s, when the authority of politically conservative institutions was openly challenged, monumental sites such as Sukhothai and Ayutthaya (and their associated historical mythology) were given special visibility as symbols of the "Thainess" the political left was purportedly seeking to undermine.[67] However, dictators such as Phibul and Sarit, who collaborated with the Japanese and Americans, which some Thai's saw as a dilution of Thai identity, is put forward as one reason why the ruling elite actively promoted nationalist mythology. Nevertheless, as Reynold's points out 'there would not be such a lively, well-funded, publicly patronized discourse about Thai identity if it were so self-evident, nor would the state security apparatus express such an abiding concern for Thai identity's well-being.'

Following the gradual liberalization in 1978, NGO work proliferated as Thai left wingers could conduct open political work instead of joining the CPT. However, NGOs were allowed to form, especially in case where they could help provide

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"Village Scout" scarf round his neck. The Village Scouts were a collection of right-wing thugs who, together with other goon squads such as the Nawapon and Krating Daeng groups, were responsible for much violence. They also had a large pool of "respectable" right-wing supporters. Nearly 300 people were brutally murdered and thousands were arrested. Newspaper reports showed photographs of people being hung, beaten and burn alive in public places. Women were subjected to the most disgusting sexual abuse before being murdered.'

[66] Maurizio Peleggi, The Politics of Ruins and the Business of Nostalgia (Bangkok: White Lotus Press, 2002), pp. 20-21.

'…the crisis of the mid-1970s in Thailand must be also regarded as the rupture of consensus around the mythology and the symbols that defined the polity. The political project of the progressive front demanded different symbols and a different idiom, like those found in the Marxist literature that began to circulate freely in the early 1970s, after being banned for decades (Reynolds and Hong: 1983). The intellectual climate of those years was aptly captured by Ben Anderson (1977: 27): "Simply to use a vocabulary of social processes and economic forces was to refuse centrality to Thai monarchs as heroes in or embodiments of national history.'

[67] Benedict Anderson, The Spectre of Comparisons, p. 170.

'For there can be little doubt that the abolition of the Laotian monarchy in December (the end of the Khmer monarchy at right-wing hands five years earlier had actually been applauded) raised the alarming spectre that Rama IX might prove the last of his line.'

"On 1 April 1981 the Young Turks tried and failed to capture state power, despite their overwhelming military forces. The failure of their coup attempt was due largely to their inability to get the tacit approval and support of the king, who openly supported Prem. The Young Turks' power and influence thus ended abruptly." [68]

With General Prem's coming to power, an "amnesty" was offered to all the radicals from 1976 whom had fled to the jungle. Democratic reforms included the requirement of all serving army officers to resign their posts before entering parliament. Press restrictions were minimal and free elections were held.[69] However, as Ungpakorn points out, the "amnesty" offered real benefits to the ruling elite, in terms of controlling even greater divisions and instability in society, which previous repressive regimes had exacerbated.[70] Furthermore, the growth in N.G.Os, (whose formal registration process required its members to remain apolitical) which came to occupy the political vacuum left in the wake of the collapse of the C.P.T. provided benefits to government which now accepted that N.G.O. development programs could provide real benefits that in curbing social unrest far better than by military force. The legacy of the 6th October crackdown and collapse of the C.P.T., is that the potential for

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[68] Ibid., p. 99.

[69] Suwannathat-Pian, Kobkua, Kings, Country and Constitutions: Thailand's Political Development 1932 – 2000, p. 175.

'When Prime Minister Kriangsak was forced to resign having lost the confidence of the Young Turks, a group of politically conscious military officers, King Bhumibol promptly suggested General Prem Tinasulanond, Commander-in-Chief of the Army, as Kringsak's successor. The premiership of Prem (1980-1988) saw a return of the close King-Premier co-operation and the unassailable position of the King as the supreme and ultimate source of power and legitimacy…Prem's premiership would go down in the country's political history as the time King Bhumibol willingly overstepped the political boundary of a constitutional monarch and became directly involved in politics on the side of the Prime Minister…The abortive *coup* in 1981, the April Fool's Coup, demonstrated the depth of political involvement in which the King was willing to engage to make sure that the head of government of his choice remain in power.'

[70] Ji Ungpakorn, ed., Radicalising Thailand: New Political Perspectives, p. 201.

'Three years later, the government decreed an "amnesty" for those who had left to fight alongside the communists, and by 1988 Thailand had returned to a standard parliamentary democracy. Those gaining the upper hand within the ruling class were convinced, not only that the nature of the 6th October crackdown, but also the way the Tanin government was conducting itself, was creating even greater divisions and instability within society and helping the Communist Party of Thailand to grow. Not surprisingly, those army officers who advocated a more liberal line were those actually involved in front-line fighting against the C.P.T. They understood, like so many military personnel in this position, that the struggle against the Left must involve some kind of political settlement in addition to the use of force.'

organized dissent in the political sphere was virtually eliminated, thus diminishing the threat of class struggle threatening the power of the military and civilian bureaucracy, and even the monarchy itself.[71]

The rise of money politics fuelled by the country's remarkable economic growth undermined the credibility and legitimacy of the elected Chatichai Choonhaven government. The military capitalized on public disquiet, staging an opportunistic and ultimately unsuccessful coup in February 1991.

The 1992 uprising highlights once again class struggle as a means to bring about political change. While Wyatt, points out the increasing demands of the 'middle class' for greater participation in the political process;[72] Ungpakorn, challenges such arguments based on the Marxist definition of class, which is governed by the 'relationship to the means of production.'[73] Thus class struggle is again the mobilizing force that brings about political change.

However, despite class struggle achieving the overthrow of military dictatorships in 1973 and 1992, the main beneficiaries in terms of gaining political

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[71] Dulcey Simkins, in Ungpakorn, ed., Radicalising Thailand: New Political Perspectives, p. 258.

'Having eliminated organized dissent in the political sphere, military and royalist supporters were less concerned that relatively un-organized civilian efforts for village welfare or human rights would threaten their power. Additionally, the formal registration process for private organizations required successful applicants to remain apolitical, and therefore tolerable.'

[72] David Wyatt, Thailand: A Short History, p. 284.

'From the sixties to the eighties, the proportion of high school graduates to primary school graduates increased fourfold. While there were twenty-six primary school graduates to each secondary school graduate by 1960, there were only seven to one by 1980. The increase in the proportion of students gaining higher education was just as dramatic. The increase in the relative proportion of youths continuing on to secondary and higher education certainly is important, for it reflects increased educational opportunities and changing economic and social aspirations…The tenfold increase in the number of university graduates over this period, from less than a hundred thousand to nearly a million, coupled with a similar rise in the number of secondary school graduates, gave Thailand's middle class a critical mass.'

[73] Ji Ungpakorn, Radicalising Thailand: New Political Perspectives, p. 19.

'In fact the majority of people who have been classified as "middle class" are part of the white-collar working class. A Marxist definition of class is based on the relationship to the means of production. It explains why white collar workers, despite the fact that they may regard themselves as middle class, behave just like factory workers when it comes to forming trade unions and taking part in class struggle.'

power, have been private sector capitalists since 'the poverty of politics' with the crushing of the Left and apolitical stance of N.G.O.s in civil society, meant money politics attained new levels in Thailand.

Following the events of May 1992, when troops shot dead scores of unarmed protestors in the streets of Bangkok, there were strong pressures from various groups in Thai society for a fundamental overhaul of the political order. The 1991 coup briefly raised unsatisfied expectations that corruption could be curtailed and the quality of politics improved thus ending the 'vicious cycle' characterizing Thai politics for so long. These pressures for change were taken up by the first Chuan Leekpai government in 1994, when it established the Democratic Development Committee (DDC) under Dr. Prawase Wasi, to devise proposals for political reform.[74] Banharn Silpa-archa established the Political Reform Committee (PRC) to pursue the reform agenda,[75] and during his premiership, parliament approved the establishment of the Constitution Drafting Assembly (CDA).[76]

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[74] Duncan Mc Cargo, ed., Reforming Thai Politics (Copenhagen: Nordic Institute of Asian Studies, 2002), p. 2.
  'Yet this process of constitutional change was only one element in a broad package of reforms under discussion, including electoral reform, educational reform, reform of the bureaucracy, health sector and welfare reform, media reform, reform of universities and academic research, and, most ambitious of all, civil society reform. To these might be added, more controversially, the need for a serious overhaul of the military, a review of the workings of the Buddhist sangha, and a more open debate about the role of the monarchy.'
[75] Ibid., pp. 3-5.
  'While many of the constitutional debates in Thailand over the past three decades have been important ones, a kind of constitution drafting industry has emerged…Not all constitutional change in Thailand has been concerned with reforming or overhauling the political order. Just as often, revising the constitution has been a matter of consolidating elite power, diverting dissenting voices into committee-room corridors…While conservatives saw reform as essentially about checking the power of elected politicians, another meaning of political reform – that favoured by Prawase himself – placed little emphasis on legalistic solutions. Rather, the focus was on a broad package of changes aimed at transforming the way society was organized…Another possible meaning of political reform was an attempt to head off social disorder, the violence that might be generated through intense conflicts over resources and opportunities in a society rife with injustice and inequality. In other words, by introducing reforms prior to the outbreak of a major social crisis, disorder could be pre-empted…Democratic ideas, however, did animate some sections of the pro-reform coalition, especially non-governmental organizations and people's organizations. Their essential aim was to see more power devolved to the grassroots and more emphasis on addressing the concerns of ordinary people. In this, they were supported by some progressive academics and public intellectuals. At the same time, the non-

3.1.1   Universality of Democratic Theory

Going from the general Marxist interpretation of the universality of today's civilizations with its focus on class as the key determinant in understanding society (as outlined above), a more country-specific discourse is offered by Hongladarom which is useful in further dismissing the notion of 'Western' democracy as unsuited to Thailand.[77] There are three main arguments mostly presented by the ruling elite, as negative reactions against the call for greater democratization in their own country, by their own people, which can be divided roughly into three major types. The argument goes that Western liberal democracy is not suitable for countries such as Thailand since it is perceived to be an integral element of a cultural tradition alien to its own traditions (which presupposes values which are 'contradictory' to Western democratic values); that Western democracy is a veil hiding imperialistic intentions; and that

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governmental sector…was by no means unified: there was significant debate within the NGO movement about the most appropriate form of popular participation, and something of a divide emerged between urban-based NGOs and rural people's organizations…Accordingly grassroots organizations were willing to go along with quite minor reforms in the hope of building upon these small gains in future: they saw reform as a long-term process of popular empowerment.'

[76] Ibid., p. 4.

'On another level, one meaning of political reform was checking the "dark influences" associated with provincial business elites that had achieved such a powerful grip on the political process. These influences were neatly symbolized for many by Sanoh Thienthong, the interior minister at the time of the 1997 constitution was promulgated. Sanoh was the provincial power-broker behind the short-lived premierships of Banharn Silpa-archa (1995-6) and Chavalit Yongchaiyudh. The rise of such figures dismayed both conservatives and progressives alike: public order was being enforced by people whose own commitment to the rule of law was widely questioned…At the same time, substantive reforms would have empowered rural people to select politicians who really reflected their interests, a change that would have had adverse consequences for cosseted and resource-rich Bangkok.'

[77] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, p. 15.

'Is it meaningful to speak of processes of political democratization as if there is a single universal model which is operating or unfolding – albeit with some variation – or is it more substantive to speak of processes of political evolution which may share certain "universal" issues and properties in terms of democratic content, but the fuller evaluation of that content requires serious reference to both internal as well as external criteria? This question in turn leads to a second question: if external criteria are only of limited value in assessing the democratic content in specific patterns of political evolution, then which "local" norms should be used and how can we determine and defend the authenticity of the processes which are shaping and maintaining these norms?'

'Do the arguments represent opposing interpretations of contemporary history and what the consequent imperatives are for political evolution, or is the matter much simpler and are these arguments essentially between those who support and those who resist the extension of democracy and democratization?'

liberal democracy will hinder national development resulting in a competitive disadvantage in terms of global commerce.

In case of the first argument, the assumption that the whole culture can be referred to in the same way an individual can is untenable, for it is impossible to define precisely where one culture ends and another begins, except perhaps by identifying one culture with one political entity or some such institutionally defined entity.[78] Which is the true 'Thai culture' - the culture of the elite court,[79] the local cultures of the regions, cultures of those who do not call themselves Thai but share almost identical cultural practices, or any combination of these? In reality, 'Thai culture' varies according to many factors,[80] and the 'web of assumptions and beliefs'

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[78] Peleggi, Maurizio, <u>The Politics of Ruins and the Business of Nostalgia</u> (Bangkok: White Lotus Press, 2002), pp. 6-7.

'In short, the rhetoric and practice of heritage conservation often appears to be deployed in support of the ruling elite's attempt to control and manipulate so powerful a symbolic resource as the past…By no means exclusive to the cultural order of pre-modern societies, myths of origins underpin the fabric of modern polities too, in the form of narratives of foundation that account for the political status quo. Just like the myths of pre-modern societies, political myth asserts itself as an indisputable narrative, most typically concerned with "a political society that existed or was created in the past and which now must be restored or preserved" (Tudor 1972: 138). Most importantly, political myth is never shared by a society as a whole, but is "always the myth of a particular group" (Tudor 1972: 139). The linkage between political myth and a particular social group is also posited by French historian Raoul Girardet, for whom the origins of political myth lie in the crisis of legitimacy that arises when justification for the exercise of power by an individual or elite ceases to be self-evident, and the spontaneous acceptance of the political status quo by other social group vanishes.'

[79] Chai-Anan Samudavanija, <u>Thailand: State Building, Democracy and Globalization</u>, pp. 7-8.

'Furthermore, in Asian societies, change largely involves adjustment and coexistence between opposing forces, rather than conflict playing itself out through an objective dialectical process.'

[80] Soraj Hongladarom, "<u>Democracy and Culture: A Case for Thailand</u>," <u>Paper presented at the Seventh East West Philosophers' Conference</u> (Honolulu: University of Hawaii, 1995), p. 3.

'At present, when the description "the Thai culture" is used, Thais are often reminded of cultural practices of the elite members of the court, consisting of elaborate dances, dramas, literature written in ornate language, and so on. An ordinary Thai would not think of folk dances performed by peasants in the North, for instance, as the best example of Thai culture, since the cultural practices of the court represent the "essence" of the culture, so to speak. This consciousness of court culture as the representative of the whole culture or as the prime example of it stems from the total domination of resources such as education and the economy by the elite court. The domination is so strong that an ordinary Thai equates "culture" with the court. Furthermore, the domination also results in Thais far removed from the court trying to emulate it as much as possible. The emulation often comes in form of folk dramas depicting the lives of royals. The emulation, however, affects only outward elements, but the content is rooted in the peasant's own world view. The cultural practices of the peasants might even contain elements which are directly critical and satirical of the court, such as servants outwitting their masters - a perennially popular theme among folktales and dramas. It is clear, then, that the court culture is not representative of the whole of Thai culture, since the elites comprising the court are only a

constitutive of a culture do not stay the same over time ('Thai culture' is different from the culture as it was before World War II, and is very different from the culture of the pre-modernization era).[81] Furthermore, as Hongladarom points out, the adoption of Western liberal democracy vis-à-vis the loss of cultural identity is not borne out by examples of European nations.[82] Therefore, using the argument of Breuilly which dismisses, such notions suggesting an 'historical continuity between nations and ethnies' based on the concept that nationalism only appears in the context of 'state-centred modernism,' that is - nationalism should be confined to the political sphere and should be regarded as a 'strictly political movement for the seizure of state power.[83]

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tiny fraction of the population, and it is only by sheer domination that the culture of the court came to be perceived as the best of all the Thai cultural practices, which are very diverse.'

[81] Ibid., p. 5.

'The value that strongly promotes obedience to the elders, especially one's parents, is justified on the basis that "Fathers know best". This justification is also expanded to rationalize ruling of the state. However, for this argument to work, the political and cultural context has to be vastly different from that in the contemporary age. The sort of political and cultural entity where such argument works best is one in which rulers claiming to possess superior moral virtues and knowledge are at least believed by his subjects really to possess the virtues. For such rule to be possible education has to be extremely rare and limited only to the elites, and the structure of rationalization of such rule, when judged from the point of view of the present, relies on a particular belief system of the subjects, for example the belief in divine power. On the contrary, it is increasingly difficult now to see that this kind of value and its derivatives need to be preserved as a foundation for governing systems of contemporary Asian countries. The reason is that the belief system which sustained the rule of the fathers or divine kings in the past is now falling apart in the wake of modern life, constituted in part by relation among people that transcends national and cultural boundaries. This system of relation engenders in turn the awareness that the divine sanction of kings are merely beliefs, and when modern life constantly forces changes and revisions of beliefs, this core belief in the legitimacy of the rulers by virtue of their moral and epistemic superiority comes to be regarded as a relic from the bygone era. And since the belief in the rule of the fathers or divine kings becomes used as the modern rationalization of the rules of oligarchic elites who claim superior knowledge and moral virtues, this modern form of belief is untenable.

[82] Ibid., p. 4.

'Countries of Western Europe, for instance, differ considerably in histories, temperaments, preferences in food and drink, and so on. These differences continue despite those countries being democratic and liberal. Thus most French prefer wine to beer, while most Germans prefer the opposite, and the two nations enjoy distinctive national cuisines which clearly show their identities. Neither French nor German identity, however, is threatened by the system of government they adopt. The differences between the two cultures are deep rooted, but they do not preclude the possibility of the two countries being both democratic. In a liberal culture, the political system does not enter the realm of practices constitutive of cultural identities.'

[83] Ibid., p. 4.

'It is clear, then, that the court culture is not representative of the whole of Thai culture, since the elites comprising the court are only a tiny fraction of the population, and it is only by sheer

The second argument based on the perception that demands for democratization in Eastern countries mask imperialist intentions, is not without merit especially during the Cold War period (or in the case of more recent allied invasions of Afghanistan and Iraq by western allied forces). However, in many ways the military dictatorships of Sarit and Thanom actually served American interests, with the deployment of US forces on Thai soil during the Vietnam War and provision of military aid to fight the C.P.T. insurgency.[84] However the salient point to remember in this discourse, as in the case of Thailand, is that calls for greater democratization typically do not come from outside but in fact are taken up by various actors amongst the indigenous population – characterized by social movements (be it students, workers, farmers, or more recently NGOs).[85] As Chai-Anan notes, 'while it is widely accepted that democracy is the least evil form of government, and democratic institutions are better than others that might be established', the decision of a

domination that the culture of the court came to be perceived as the best of all the Thai cultural practices, which are very diverse.'

[84] Benedict Anderson, The Spectre of Comparisons, p. 145.

'Almost a decade of close ties with the Pentagon prior to his seizure of power meant that after 1959 he [Sarit] found it easy and natural to link Siam to the United States in an unprecedented intimacy. In other ways, too, Sarit was a perfect dictator from Washington's point of view. He was willing and eager to make "development" part of his quest for legitimacy and to accept the advice of US-trained technocrats in drawing up and implementing developmental programmes…Most important of all, Sarit did everything in his power to attract foreign (and especially American) capital to Siam, believing it to be an essential means for consolidating his rule and that of his successors…But his heirs, Thanom and Praphat, continued the basic thrust of his policies. The onset of their rule virtually coincided with Lyndon Johnson's escalation of the Vietnam War, and they were quick to seize the opportunities thereby presented.'

[85] Ibid., p. 5.

'Foreign intervention, if it exists at all, ultimately works only if it is supported by the majority of the people in that country themselves… Therefore, threats of imperialism incurred by implementation of democracy are nothing more than a means to arouse nationalistic feelings and blur the sight of the people so that they fail to see the need for democracy. The argument is particularly employed by regimes of countries where colonialism remains in living memory, and thus the uses of such phrase as `expansionism,' `imperialism,' and `colonialism' resonate strongly in the collective psyche of the people. But if these people realize that democracy can come only from within themselves and cannot be handed down by those in power without sometimes bloody struggles, then they will know that struggles for democracy is a totally different matter altogether from foreign control of lives and minds of the people, or from threats of neo-colonialism. The people know that they themselves have to take matter in their hands and can expect no foreign help; indeed they might reject such foreign help beyond a very narrow, clearly defined limit for fear of later infiltration and possible loss of autonomy.'

sovereign nation to adopt democracy is almost always an autonomous one. Indeed, Chai-Anan goes on to comment on the association between economic development and democratization,[86] elaborating upon the 'significant association between economic inequalities and inequalities in the distribution of and access to political power.' The popular uprising of 1973 juxtaposes what Chai-Anan defends as the 'Three-Dimensional Model' of 'democracy,' namely security (S), development (D) and participation (P); the direct exposure of much of Thai society to the West, and the questioning of Thai economic and political relationships at the height of the Vietnam War; and economic fallout from the world oil crisis, clearly showing that calls for western liberal democracy arise *in spite* of the argument put forward that democracy 'masks' imperialist intentions.[87] Furthermore, the brutal crackdown of October 6th 1976, indicates the lengths the ruling elite will go, to enforce the 'Three-Dimensional Model' as the political system of choice, thus ensuring control over the distribution of the benefits of economic development,[88] Interestingly, Chai-Anan draws the same

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[86] Chai-Anan Samudavanija, Thailand: State Building, Democracy and Globalization, p. 21.

'An assumption is often made that economic development is not simply a prerequisite for democracy, but that economic development inexorably leads to democratization. This is associated in particular with strong confidence in market-oriented economic processes as the best path to both economic development and political democratization. Asian experience however, , suggests, that while there is an association between the adoption of market-oriented economic processes and the pace of economic development, the association between economic development and political democratization is much less certain.'

[87] David Wyatt, Thailand: A Short History, p. 279.

'Meanwhile, a combination of factors led to the growth in the countryside of a political challenge to the ruling military government…As much as government efforts to improve conditions may have helped the rural poor, paradoxically they may have contributed to the farmer's consciousness – especially in the northeast – of just how badly off he was, both absolutely and by comparison with city people. And it is interesting to note that those rural people most willing to challenge the government turned out to be, not the poorest of the poor, but rather those in the best position, by virtue of their access to limited educational and economic opportunities, to see just how disadvantaged they were. It was people such as these whose disaffection turned to antigovernment insurgency.'

[88] Ji Ungpakorn, The Struggle for Democracy and Social Justice in Thailand, p. 94.

'What were the radicals of 1973 to 1976 trying to change when they supposedly went "too far"? An article in the London *Financial Times* in October 1991 describes some of the present day economic inequalities of Thai society since 1975, which the radicals were trying to overcome. "The share of income earned by the richest 20% of the population is estimated to have increased from 49.3% in 1975-6 to 54.9% in 1987-88. The share going to the poorest 20% has dropped from 6.1% to 4.5%. Was it asking too much to demand social justice?'

conclusion – 'put differently political power is frequently mobilized and exercised to ensure that the advantages which accrue to concentrations of economic power are maintained'.[89]

3.1.2 Background to the 1997 Thai Constitution

Reform became possible because of the mass uprising in 1992. While general elections took place with remarkable regularity (three in the 1980s and four in the 1990s), parliament was not an effective forum for representing popular interests because of the rise of money politics which diminished electoral choice between candidates and programs.[90] However, social movements such as the one against the Pak Mun dam Project, were successful in winning concessions from government in response to public opinion. From the perspective of big business, since the outcome of elections was usually unpredictable, and all Thai governments were coalitions (with five or more partners), most major companies funded all the major parties.[91] One of

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[89] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand (Chiang Mai: Silkworm Books, 2004), p. 176.
'A military officer occupied the prime ministership for all but eight years over 1938-88. Over this half century, the senior officer cadre became a ruling caste. They dominated senior positions in government agencies and state enterprises. In Bangkok, they were taken onto corporate boards. In the provinces, they were invited to protect and profit from all kinds of local enterprise.'

[90] Mc Cargo, Reforming Thai Politics, p. 7.
'Politicians owed their loyalties to the faction bosses and the business interests that had financed their very expensive election campaigns, rather than to the voters themselves…Vote buying, a longstanding Thai practice, was actually exacerbated by new legislation passed at the end of the 1970s, intended to clean up elections and restructure political parties.'

[91] Mc Cargo, Reforming Thai Politics, pp. 8-9.
'At the core of structural impediments to reform in Thailand lay the extraordinary degree of centralization…While liberalism and pluralism were flourishing at the national level, out in the countryside provincial governors and other state officials continued to exercise an exceptional degree of political control. There were elected municipal and provincial councils, but these were weak bodies whose powers were tightly delimited by Bangkok ministries. The great majority of councils had been captured by construction contractors and other business interests. Crucially, moves to make the office of provincial governor an elected position were firmly resisted throughout the constitution drafting process…the officials in numerous provinces…[were determined] to resist the forces of decentralization at literally any cost. Unless the progressive rhetoric which informed the constitution-drafting debate was backed by a real shift in power away from Bangkok and towards ordinary people in towns and villages across the country, reform would remain procedural rather than substantive.'

the key points of the constitution was to increase the power of the prime minister and create greater stability by favouring larger parties.[92] The abolition of multiple MP constituencies to bring candidates closer to their constituents; the 'party-list' system, aimed at encouraging people to vote for 'good' parties on a national level, as opposed to 'corrupt' local individuals;[93] and a change in the vote-counting procedure, were all hoped to reduce the massive vote-buying seen in previous elections.[94]

In the context of the working model for democracy proposed in this thesis; such reforms actually restrict a key principle - that of political choice - by favouring the larger parties which represented big business interests. Furthermore, stable government is lightly to increase the power of the state, and of the rich over the poor, since the 'cost of collective action' against a less vulnerable government is greater.

Nevertheless, decentralization of state power was also a major focus of the constitution drafting committee in an effort support rural society and act as a counterweight to urban capitalism and globalization.[95]

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[92] Ji Ungpakorn, "From Tragedy to Comedy: Political Reform in Thailand," The 8th International Conference on Thai Studies, Nakhom Pathom, (2002), pp. 5-6.
　　'This was done by re-jigging the electoral system to include a section of MPs which would be elected from "party lists," on a proportional representation method, with the intention that this would favour larger parties and reduce the likelihood of unstable coalition governments. Another measure was to force cabinet ministers to resign their seats in parliament before becoming ministers so that they were less likely to withdraw from the government in any dispute with the Prime Minister.'
[93] Ibid., p. 7.
　　'The 'party-list' system was meant to encourage people to vote for "good" parties on a national level rather than "corrupt" local individuals, with the hope that important party list MPs would become cabinet ministers. What made the latter more lightly to become ministers was that party list MPs who became ministers would automatically be replaced in parliament by another candidate lower down on the party list, whereas if an MP from a constituency seat became a minister it would result in a risky by-election.'
[94] Ji Ungpakorn, Radicalising Thailand: New Political Perspectives, p. 17.
　　'Structural Functionalism was the main political influence among the drafting committee and the main aim of this constitution is to increase government stability and reduce the more blatant forms of corruption.'
[95] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand (Chiang Mai: Silkworm Books, 2004), p. 22.
　　'The draft contained a long list of civic rights, including community rights over natural resources. The chapter on "Directive Principles of Fundamental State Policies" was virtually a manifesto of the 1990s reform movement with provisions for decentralization, greater popular

The constitution-drafting and wider reform processes were seen as inherently contested, taking one example, disputes between elites who sought to change the socio-political order from above, and grassroots bottom-up initiatives.[96]

Pertaining to the 1997 Thai Constitution, Mc Cargo has identified three broad areas of particular importance: 'those articles dealing with reform of the electoral system; those Articles that establish new bodies charged with checking and balancing abuses of the political process; and those Articles dealing with popular rights'. The most distinctive feature was the range of new bodies it established, in order to monitor and referee the political order some of which were as follows:

- Election Commission, an independent body with sweeping powers to oversee the electoral process, including the rights to investigate questionable elections, and if necessary to order new elections (Article 136 to 148)[97]

- National Counter-Corruption Commission (NCC), with extensive powers to scrutinize the financial affairs of politicians and their families, including the

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participation, liberalization of broadcast media, and education reform (Klein 1998; Connors 1999; Mc Cargo 2002a). Second, in 1997, the eight in the sequence of five-year plans begun in the development era proposed to shift "from growth orientation to people-centred development". It argued that the main barrier to this goal was the state itself because of its "very centralized power structure, administrative inefficiency, lax law enforcement, lack of popular participation, unethical and unfair use of administrative power, lack of administrative accountability, and lack of continuity in policy and implementation" (GoT, n.d., 121). Third a decentralization act arising out of the new constitution proposed to transfer 245 responsibilities and 35 percent of the national budget from the central administration to local government by 2006, mostly to some seventy thousand elective Tambon Administrative Organizations.'

[96] Ji Ungpakorn, "From Tragedy to Comedy: Political Reform in Thailand," pp. 5-6.

'This victory for political reform was achieved, in the words of Connors, "by packaging political reform as both a conservative measure to enhance government stability and as a radical expansion of opportunity for political participation" (Connors 1999: 209). Yet, in drafting the Constitution, the ideas proposed by the N.G.O.s and labour groups were only taken up when this fitted into the general blueprint already determined by the liberals (Connors 1999: 217).'

[97] Ibid., p. 7.

'An important aim of the new constitution, which was claimed by the reformers, was the abolition, or at least the reduction, of vote-buying and the influence of money politics. Firstly, there was the establishment of an "independent" Election Commission, based on the Philippines model, with strong powers to disqualify candidates who were found to be vote-buying. Secondly, changes in election methods would make it more difficult to buy votes.'

right to propose that the Senate remove politicians from office (Articles 291 to 307)

- Constitutional Court, to adjudicate on any matters concerning the interpretation of the constitution (Articles 255 to 270)

- National Human Rights Commission, to investigate and report acts that violate human rights (Articles 199 and 200)

A third key area of the 1997 Constitution was the inclusion of provisions that enhanced the rights of citizens to challenge the power of politicians and the state.

- The right of 50,000 voters to petition the National Counter Corruption Commission to have a politician or high-ranking official accused of corruption removed from office (Article 304)

In the context that previous democratic change (in October 1973 and May 1992) were the result of struggle from below, the power of the state could only be checked by the power of mass-based social movements. The creation of 'independent' bodies largely demobilizes popular participation, reducing the role of the population in the political process to merely casting their vote at election time.

3.1.3 Background to Thai Rak Thai Election Victory (2001)

Throughout the 2001 election campaign, Thaksin was under investigation by one of the 'independent bodies' tasked with rooting out corruption – the National Counter Corruption Commission (NCCC). The charge was that Thaksin had deliberately tried to conceal his wealth when submitting asset statements following his appointment to the Chavalit Cabinet in 1997, with the result that just eleven days before the general election, the NCCC voted eight to one to indict him. Thus, the task

of another 'independent body,' the Constitutional Court - was to adjudicate on this matter in relation to the Constitution.

Some critics have argued that Thaksin's 'populist polices' are solely a cynical move to win votes from poor farmers and to establish a direct link with local supporters for future elections.[98] Such criticism represents an overtly condescending analysis of the Thai electorate – the introduction of a low-cost health care scheme; a debt moratorium for poor peasants; and the provision of a one million baht loan for each village to stimulate economic activity; provide real benefits to 'the people'.[99] Without doubt, the policies were designed to attract votes and succeeded in that goal,[100] but the new 'social contract' arising out of the 1997 Asian Financial Crisis, also provides for greater protection of domestic capital by the government as compared to the developmental contract of previous administrations. Furthermore, the appeal of the *Thai Rak Thai* party to the electorate also stemmed from wide-spread

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[98] "Speical Report: TRT dominant, but not yet 'the people's party," *The Nation*, 13 July 2001. 'Since TRT launched its campaign for the 2001 poll, critics and academics have labelled its proposals as "populist policies", which lure low-income voters but will also ruin the national economy and society in the long term. The populist policies include the Bt30 medical scheme, an agrarian debt moratorium, a people's bank, the village fund and the one tambon (sub-district) one product project.'

[99] Ji Ungpakorn, "Thai Social Movements in an Era of Global Protest," 9th Thai Studies Conference, (2005): p. 11.
'This kind of analysis fails to grasp that Thai Rak Thai Populism actually delivers real benefits to the poor. Low-cost health care for all, is a real concrete benefit for millions who were previously uninsured and who faced huge financial worries about sickness and ill health. Populism, carried out by a blatantly capitalist party like *Thai Rak Thai* could not work otherwise. It is designed to buy social peace in times of crisis and has been used in various forms before…Given that many in the Peoples Movement saw *Thai Rak Thai* Populism as a meaningless hoax, also criticising it from a neoliberal stand point, the calls to vote for opposition parties in order to increase "accountability for the benefit of the people" were, at best totally abstract and at worst seen as a recipe to derail popular socio-economic measures.'

[100] Ji Ungpakorn, "From Tragedy to Comedy: Political Reform in Thailand," p. 15.
'The fundamental contradiction of the *Thai Rak Thai* landslide election victory was that this party, headed by Thaksin, a multi-billionaire, won the election on the basis of both money politics and a sensitivity towards demands from below. The amount of money used by *Thai Rak Thai* for advertising, persuading politicians with local bases to defect from other parties and for buying votes in the run up to the election was probably unprecedented. Yet at the same time its election victory was partly due to 3 promises made to the electorate. These were (1) a promise to introduce a low cost health care scheme for all citizens, (2) a promise to provide a 1 million baht loan to each village in order to stimulate economic activity and (3) a promise to introduce a debt moratorium for poor peasants.'

disillusionment with the Democratic Party who presided over the crisis.[101] The *Thai Rak Thai* campaign was also new in many ways, incorporating slick marketing techniques from the business world, and used the principles of pyramid selling in an attempt to sign up enough party members in each constituency for electoral victory.[102]

From the launch of the *Thai Rak Thai* party in 1998, Thaksin has used economic and political nationalism, as a tool to spur on the Thai economy (recovering from the Asian Financial crisis), to stifle dissent, and as an ideology to unite the nation behind his party. This strategy was underscored by his constant attacks on foreign journalists, UN agencies, foreign NGOs, and foreign sponsors of Thai NGOs.

This nationalist rhetoric reached new heights in 2003, during the 'independence day' celebration, when the IMF loan from the financial crisis was repaid two years ahead of schedule. Thaksin encouraged Thai people, government offices, and corporations to fly the national flag wherever possible.[103] The launch of the iPSTAR satellite in 2005 on the eve of the Queen's birthday, was televised live on iTV and Channel 11, offering Thaksin further political currency in pursuit of uniting the nation under his CEO-style of governorship. The underlying aim of this nationalism is for 'the people' to equate national economic growth with national

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[101] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, p. 82.
'Thaksin had distanced himself from the Democrats who collaborated with the IMF's destructive strategy, abandoned the government's duty to protect domestic business, and treated rural protest with contempt. Thaksin bid for support of small businessmen and farmers by adopting these groups' own demands.'

[102] Ibid., p. 83.
'The party spent two years setting up a local network, and used the principles of pyramid selling in an attempt to sign up enough party members in each constituency for electoral victory.'

[103] Duncan Mc Cargo and Ukrist Pathmanand, The Thaksinization of Thailand (Copenhagen: Nordic Institute of Asian Studies, 2005), pp. 181-182.
'One of Thaksin's proudest moments was his "independence day" speech in August 2003, when he declared that Thailand had now repaid its debts to the IMF…This episode suggests that Pasuk and Baker's notion of Thaksin's nationalism as essentially moderate may need revision; as time passed and the premier gained in confidence, he appeared increasingly willing to engage in a much more strident conservative nationalist language and rhetoric, using symbols such as the national flag in a far cruder fashion than before. Political analyst Sunai Phasuk told Associated Press: "He presents himself as the champion , the guardian of the country. That is his image".

strength, and for citizens to surrender their political freedoms in exchange for strong CEO management of the state (backed up by military force), in a manner similar to previous paternalistic rulers.

Therefore, this nationalism is anti-democratic in two ways; in terms of 'open and accountable government', the conflict of interests vis-à-vis the state and local villagers, is highlighted by the Thai-Malaysian gas pipeline and Pak Mun dam projects;[104] and in relation to the fact that the government favours domestic capital (particularly that of companies associated with the *Thai Rak Thai* party), the resultant lack of competition provides no benefits for the people despite high overall growth rates.[105]

Phongpaichit and Baker have argued that Thaksin has used nationalism as a rhetorical mechanism to encourage submission to the goal of national economic growth. However, this nationalist rhetoric is also considered a cover for *Thai Rak Thai's* real agenda of self-enrichment and empowerment as Thaksin's economic policies concerning Free Trade Agreements, the Asia-centred regional policy and iPSTAR, support globalization and free trade.[106]

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[104] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, p. 146.
'The plan to construct a pipeline to transport natural gas from the Gulf of Thailand across a few kilometres of Thai territory en route to Malaysia had been concluded many years earlier as part of a larger scheme of Thai-Malaysian cooperation. The local villagers were angered because they had never been consulted on the project, and because the government had continually concealed plans to develop an industrial area around the pipeline.'

[105] Duncan Mc Cargo and Ukrist Pathmanand, The Thaksinization of Thailand, p. 176.
'Porter visited Thailand in 2003, and spelled out the results of his rather costly researches into Thailand's competitiveness. His report was not a hymn of praise for Thaksin's achievements; rather, he focused on the failures of the Thai government to address the core problem of productivity, stressing that despite positive overall growth rates, ordinary Thai people were not becoming more productive or better-off. Porter made various recommendations, including the need for greater competition among local companies, more transparent bidding processes and government moves to challenge vested interests.'

[106] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, p. 140.
'In 2002-3, however both Thaksin and Pansak (2003) made several public references to the argument of University of Boston professor, Liah Greenfield, that nationalism is the "spirit of capitalism."…But Greenfield also warned that such economic nationalism could be derailed if people prioritized other agendas. The new civil society of 1990s Thailand had done just that.'

3.2 Parliamentary and Electoral Process

Competitive elections provide the platform for popular control over government, electoral choice between candidates and programmes, and equality between electors.[107] The 'opposition' Democrat and *Mahachon* parties have failed to mount a convincing alternative and civil society groups have largely remained outside the electoral process except for the Senate elections, in which several independent candidates have won seats.[108] Popular participation is hardly guaranteed by the 1997 Thai Constitution since anyone without a university degree is ineligible to run for election in both the parliament and the senate.[109]

The fact that the Election Commission disqualified a number of senatorial and parliamentary candidates (in the 2000 and 2001 elections respectively), indicates that measures put in place to ensure free and fair elections had some impact, but

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[107] Ji Ungpakorn, 'From Tragedy to Comedy: Political Reform in Thailand," p. 10.

'For the ruling elite and the business sector stable governments are favoured because they create a calm climate for investment and the realisation of profit. Most ordinary citizens prefer a stable political climate to uncertain and dangerous times. However, if the government is too stable it loses interest in listening to the "pu-noi" and such organisations like the Assembly of the Poor or trade unions find it more difficult to put extra-parliamentary pressure on the government to deal with legitimate grievances.'

[108] Ji Ungpakorn, "Thai Social Movements in an Era of Global Protest," p. 3.

'*The Midnight University*, a group of activist academics from Chiang Mai, including among them Niti Eawsriwong, produced a "hand book" for the election…Their main strategy was to call for people *not* to vote for politicians who had blood on their hands from the state violence against alleged drug dealers and from state repression in the 3 southern Muslim provinces. People were urged not to vote for corrupt front-men of the capitalist corporations, politicians who proposed extreme nationalism and those who supported the United States. They called for people to vote for politicians who favoured land distribution and the devolution of power to localities and to vote for those who would oppose Free Trade Agreements and G.M.O. foods. Yet none of the main political parties had any serious intentions of supporting such policies. So it was questionable whether there were any politicians who actually fitted the bill.'

[109] Ji Ungpakorn, "From Tragedy to Comedy: Political Reform in Thailand," p. 10.

'The constitution itself is hardly a recipe for popular participation. Firstly, no one without a university degree is allowed to stand for parliament or the senate. This immediately rules out the vast majority of the population from taking part in self-government, and especially those at the bottom of society. Secondly voting is compulsory, yet labour movement calls for a system which included automatic voter registration at the place of work were turned down by the Constitution Drafting Committee. This has two effects. It means that working class votes are reduced and diluted in constituencies where there are large numbers of factory workers because many factory workers are on household registers in the countryside. It also means when the farce of repeat elections takes place, many workers cannot afford the time or the money to return home to vote. Failing to vote, can in some circumstances, then result in a loss of certain political rights.'

nevertheless vote-buying and irregularities still manifested themselves within the Thai electoral process.[110] This is in marked contrast to the 2005 general election, described as 'one of the dirtiest polls in modern Thai politics,' which saw not a single candidate disqualified for fraud, .by the 'independent' body tasked with overseeing the elections.[111]

In terms of achieving greater government stability, the result of the 2001 general election more-or-less wiped-out thirty five small parties, leaving five large parties to dominate parliament. However, within the *Thai Rak Thai* party itself, which won a landslide victory, unity could not be relied upon because many MPs were veteran politicians who had been lured into the party prior to the election, resulting in it forming a coalition with the *Chat Pattana* and *Chat Thai* parties, and by luring the New Aspiration party to defect to *Thai Rak Thai* en masse.

The 2005 general election saw *Thai Rak Thai* increase its commanding parliamentary majority, enabling it to form a 'one-party government' winning 377 seats out of a possible 500.[112] However, the depth of the crisis in the South, and local

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[110] Ibid., p. 8.

'The People's Network for Elections declared that it had solid evidence of election fraud in 84 out of 400 constituencies (*Bangkok Post* 15/1/2001) and by late January the Election Commission had called for fresh polls in 62 seats (*Bangkok Post* 24/1/2001). Clearly the new Constitution has failed to stop vote-buying. In fact, it is widely believed that the 6 January 2001 elections involved even more cash for vote-buying than previous elections.'

[111] "It's time to change the EC selection process," *The Nation*, 24th February, 2005.

'At the 2001 general election, the first EC batch annulled 62 candidates within two weeks of the poll for everything from vote buying to changing ballots. Despite their seemingly tough stance, the commissioners were criticized for their failure to find more evidence of widespread cheating. But they certainly did a better job than the Vasana-led batch, who until now have only eliminated two contenders from this year's election: one for violating election law by giving sacks of rice as gifts and another for being a member of two political parties at the same time.'

[112] Duncan Mc Cargo and Ukrist Pathmanand, The Thaksinization of Thailand, p. 108.

'Thaksin's preoccupation with expanding the parliamentary party – despite his complete lack of interests in parliamentary politics itself – illustrated his willingness to compromise on the quality of his party, demonstrating the extent to which Thai Rak Thai was a vehicle for his own dominance of Thai politics rather than a coherent and focused political organization. In effect, he sought to drive a wedge between elected MPs – who provided him with electoral legitimacy and were the source of his political authority – and the policy-making machine based on his own advisors and political priorities. MPs and parliament were to be tolerated and subordinated rather than appreciated and encouraged.'

animosity towards the government is highlighted by the fact that *Thai Rak Thai* lost the entire region to the Democrat Party.[113]

While the new constitution originally aimed to decentralize power, the *Thai Rak Thai* party has sought to bypass the linkages between the electorate and local politicians, creating a direct connection between the electorate and a powerful centralized state, in order to mobilize national resources and manage society.[114]

Clearly the 1997 Constitution failed in two important aspects with regard to a key principle of democracy, that of free and fair elections. Inclusiveness can only be achieved if the electorate is presented with electoral choice. The electoral system designed to favour larger parties, made up from politicians whose involvement in the political process is based on self-enrichment; provides little choice to the less-well off in society. In the absence of political parties which represent the interests of workers and farmers, public contestation, that is competition for office and political support, practically ensures political hegemony of the ruling elite in terms of the election process.

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[113] Ji Ungpakorn, "Thai Social Movements in an Era of Global Protest," p. 6.

'This was despite the fact that the Democrat Party had never seriously criticised government repression after Tak Bai and had not raised the South as an issue during the election campaign.'

[114] Duncan Mc Cargo and Ukrist Pathmanand, The Thaksinization of Thailand, pp. 105-106.

'One solution to problematic local elections was simply to abolish them; in February 2004 Thai Rak Thai announced plans to abolish direct elections for village headmen and *kamnan* (subdistrict heads), an act of re-centralization that would amount to a substantial reversal of political reforms enacted in recent decades. This proposal illustrated Thai Rak Thai's lack of enthusiasm for the political reform process, and lack of concern with the needs of village communities: local elections were seen as a potential challenge to the dominance of a hegemonic national party. In this sense, Thai Rak Thai's views closely resembled the views of Interior Ministry bureaucrats, who opposed local elections that weakened their authority over the country's rural population. Thai Rak Thai's overwhelming concern with parliamentary elections and the central authority of a state dominated by a singly party was in this sense highly conservative. The government later backtracked on these plans, but this flip-flopping nevertheless testified to Thaksin's lack of commitment to a consistent stance on decentralization.'

3.3 Open and Accountable Government

The accountability of government to citizens depends on two principles: the rule of law upheld by independent bodies, and decision-making that is responsive to public opinion. In case of the former, the most active and important of the 'independent bodies' established under the 1997 constitution in order to provide 'checks and balances' on government - were the Election Commission (ECT), which had the power to invalidate elections on grounds of malpractice; the National Counter Corruption Commission (NCCC), which investigated corruption charges and oversaw ministers' declaration of assets; and the Constitutional Court, which ruled on any issue relating to the constitution including whether malpractice justified a ban from politics. The members of these 'independent bodies' were appointed on fixed terms of varying length. However, this procedural concept of democracy, fails to assess the degree or extent of 'popular control' in case of these institutions.[115] As these bodies' original members reached the end of their statutory terms, new appointments changed the bodies' political allegiances. Thaksin had been able to dominate the very institutions created to provide 'checks and balances' on government, through a process of cronyism and nepotism.

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[115] David Beetham, ed., <u>Defining and Measuring Democracy</u>, p. 28.
'In small-scale and simple associations, people can control collective decision-making directly, through equal rights to vote on law and policy in person. In large and complex associations, they typically do so indirectly, for example through appointing representatives to act for them. Similarly political equality, rather than being equalized in an equal say in decision-making directly, is realized to the extent that there exists an equality of votes between electors, an equal right to stand for public office, an equality in the conditions for making one's voice heard and in treatment at the hands of legislators, and so on…The degree or extent of popular control is here to be assessed by such criteria as; the *reach* of the electoral process (that is, which public offices are open to election, and what powers they have over non-elected officials); its *inclusiveness* (what exclusions apply, both formally and informally, to parties, candidates and voters, whether in respect of registration or voting itself); its *fairness* as between parties, candidates and voters, and the range of effective choice it offers the latter; its *independence* from the government of the day; and so on.'

Constitutional Court

Following Thaksin's election victory, the members of the constitutional court were tasked with deciding if the concealment of assets by the newly elected prime minister, justified him receiving a mandatory five year ban from politics.[116] This institution set up under the 1997 constitution, as a body mandated with the task to weed out corrupt politicians that had plagued Thai politics so often in the past, needed to decide the case based on rule of law and the equal right of 'the people' to have their interests heard and to influence such collective decisions.

In case of the former, the court decided in Thaksin's favour by an 8-7 split decision.[117] The court ruled on seventeen comparable cases both before and after the Thaksin ruling, and in every other case endorsed the NCCCs findings (Phongpaichit and Baker: 5). In case of the latter, what the acquittal shows is that the pressure of public opinion and social movements, is a more powerful force than so-called 'independent bodies.'[118]

Election Commission

The second of the 'independent' bodies, the Election Commission has proven to be an ineffective mechanism in stemming vote-buying, and so in one important

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[116] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, p. 1.

'The National Counter Corruption Commission (NCCC) charged that he had concealed assets on three occasions over 1977-8 when he had been obliged to file statements as a minister. The amounts involved were 2.4 billion baht, 1.5 billion baht, and 0.6 billion baht. They had been registered in the names of his housekeeper, maid, driver, security guard, and business collegues.'

[117] Ibid., p. 5.

'The judgement was curious in several ways…The 8-7 result was a combination of two divisions which both went against Thaksin. First the court rejected by 11-4 a technical legal argument that Thaksin actually had no need to make the asset declarations in question. Then the remaining 11 divided 7-4 to reject Thaksin's argument that the concealment was an "honest mistake." By the conventions of the court, this meant only 7 voted Thaksin guilty and were outnumbered by the 4+4=8 who had been the minority in each of the divisions (Klein 2003).'

[118] Ji Ungpakorn, "From Tragedy to Comedy: Political Reform in Thailand," p. 13.

'This first real test for the Constitutional Court indicates that the pressure of public opinion and social movements is a much more powerful force than the mere presence of "independent bodies". Therefore real political reform can only arise from the pressure of social movements.'

aspect guaranteeing free and fair elections. On the one hand, the commissioners who oversaw the 2001 general election were seen to take a tough, uncompromising stand against election irregularities, resulting in 'a new almost farcical, aspect to elections' (Ungpakorn 2002: 8-9), with the use of yellow and red cards signifying fresh elections take place (with or without the winning candidate contesting, respectively);[119] causing long delays in the election process.[120] The election process of five new commissioners in October 2001, usurped constitution rules, based on an excuse that 'suitable' candidates were in short supply (the newly elected Chairman being later dismissed);[121] its performance in the 2005 general election, which saw not a single candidate disqualified for fraud, is in marked contrast with the previous group of commissioners.[122]

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[119] Ibid., p. 9.

'In at least one case, the horse-trading within the Election Commission resulted in a senatorial candidate, who is not regarded as corrupt, being given a yellow card on the basis that he paid local supporters to put up his election posters. To most people this would not be regarded as "vote-buying."

[120] "EC 'yellow cards' come under fire," *The Nation*, 9th August, 2001.

'At an institute-sponsored seminar yesterday, leading law professors and election officials said the EC's yellow-card rule – which disqualifies a candidate from an election but allows them to contest a subsequent round – had caused long delays in the electoral process. Deputy Justice Ministry permanent secretary Tongthong Chandansu said the yellow card did not act as a deterrent, as was intended. Instead of preventing suspected campaign violators from claiming victory, it tended to whitewash those violators because they were allowed to remain in the race, and voters seemed to sympathise with them, Tongthong said.'

[121] "Ousted senator picked for new EC," *The Nation*, 5th October, 2001.

'General Sirin Toopklam, who was tossed out of the Senate over allegations of election fraud, was one of five new election commissioners elected by the Senate yesterday…The Senate yesterday rejected calls that the Constitution Court review the entire nomination process before electing Sirin and four others to the EC…Constitutional rules dictate that each nominee named by the selection committee must receive at least eight votes from the committee. Each committee member chooses five names from among the candidates, and anyone who receives eight or more votes automatically goes through. Subsequent rounds of voting are held until five nominees receive the necessary eight votes. But the selection committee said only three of 55 candidates received the required eight votes after several rounds of voting. The panel then altered the rules by voting on the three most popular candidates and dropping the rest…The Senate ruled yesterday that it did not have the authority to scrutinize the nomination process.'

[122] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, pp. 174 -175.

'When the first batch of ECT members reached the end of their term in May 2001, the two who stood for reselection were rejected. New candidates lobbied senators. The replacements selected included General Sirin Thoopklam whose own election to the Senate had been voided by the ECT in 2000, a judge whose promotion had failed to gain royal approval, a bureaucrat under investigation for corruption, and another Interior Ministry official who had earlier been accused of printing fake election ballots (*BP*, 23 June 2001, 2 October 2001)…In mid 2002, Sirin was removed from the ECT by the

National Counter Corruption Commission

The third of the 'independent' bodies born out of the 1997 Thai Constitution, is considered to have delivered firm and occasionally politically daring judgments (most notably its referral of Thaksin to the Constitutional Court on charges of false asset declaration), at least until the first round of reappointments occurred in 2003 (Phongpaichit and Baker: 175). Thereafter, marks a sharp decline in its performance and ensuring any sort of transparency, suffering the ignominy of all nine of its commissioners being given suspended jail terms for corruption in 2005.[123]

The narrow structural functionalist political ideology used in setting up these institutions, to act as a three-pronged mechanism to fight political graft clearly failed. Since all main political parties are dominated by rich businessmen and influential people, and offer broadly similar political platforms, the electorate has little choice over the type of candidate that will represent them in parliament or the senate. Therefore, the idea of institutions tasked with fighting political graft, were unable to remain as 'independent' bodies, providing public accountability of government. Patron-client networks and the role of money politics do not cease to exist once the last vote has been cast in an election, and so to use a euphemism 'horse-trading' within the elected bodies raises the issue how 'independent' bodies can remain neutral. A second criticism of the structural functionalist approach is: who is charged with

Constitutional Court on ground his appointment had been technically incorrect. He was replaced by a general associated with Chavalit (*BP*, 5 July 2002; *TN*, 19 September 2002). Earlier, some MPs had demanded revision of the ECT's powers, and set up a committee to propose revisions to the constitution (*TN*, 21 September 2001). Such calls now faded. The ECT had ceased to be a threat.'

[123] "Editorial: Is there no shame among the guilty?" *The Nation*, 27th May, 2005.
'The National Counter Corruption Commission (NCCC) had a taste of its own medicine when the Supreme Court sentenced all nine anti-graft commissioners to two-year suspended jail terms for abusing their power by giving themselves a huge pay raise without parliamentary approval. The irony of it all is that the NCCC, which is the lead agency in the fight against corruption, has been found guilty of engaging in a willful act of wrongdoing. The current NCCC, chaired by Police General Vudhichai Sriratanavudh, couldn't possibly endure a worse shame.'

providing the 'checks and balances' of the institutions themselves – given that the Constitutional Court was able to acquit Thaksin in spite of the evidence showing his guilt; the Election Commission was deemed originally to have a monopoly on power in being able to decide in matters concerning fraud;[124] and the National Counter Corruption Commission needed to replace all nine of its commissioners after corruption charges were brought against them.[125]

The Senate

The task of the Senate is to provide the 'checks and balances' on the executive branch of government; and in addition, make the final selection of the commissioners elected to most of the independent bodies.[126]

However, by mid 2001, the *Thai Rak Thai* party began to consolidate its power within the Senate, with the election of Sahat Pintuseni as deputy speaker in August 2002 and Suchon Chalikrua elected as the second deputy speaker in March 2003, eventually building a senate majority based on close associations between senators and members of the ruling party (Phongpaichit and Baker: 174). This party-bias increasingly influenced appointments within the independent bodies, when

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[124] "Ruling will not help ousted 10," *Bangkok Post*, 21st March 2001.
'The commission can file fraud charges against senators or MP's, try them and judge them and finally disqualify them itself. There is no check and balance on its power.'

[125] Ji Ungpakorn, "From Tragedy to Comedy: Political Reform in Thailand," p. 12.
'In the first place the meaning of the word "independent" is ambiguous. Are they independent from pressure from elite and influential interest groups in society, and if so how do they achieve such independence? Or are they independent from democratic control, in which case, are they not authoritarian bodies appointed by elites who make the claim to be politically neutral?'

[126] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, p. 174.
'Nominally, senators were supposed to be non-political figures. In fact, many senators elected in 2000 were tied by kinship, marriage, business contacts, or other relationships to politicians…The speaker elected in early 2001 was associated with the Democrats. In the early months of the Thaksin government, some thirty to forty senators with academic and NGO backgrounds were able to lead the Senate.'

commissioners fixed terms expired; beginning with the ECT in 2001, and the Constitutional Court and NCCC in 2003.[127]

The Bureaucracy

Beginning in October 2002, the government began to transform the bureaucracy implementing a comprehensive remapping of the bureaucratic structure and making a large number of senior appointments, promotions, and transfers, in order to make it more responsive to the political will of the government.[128] The significance of this transformation is that it allowed the *Thai Rak Thai* party greater control over policy-making and transforming the bureaucracy into one based on 'business school thinking and practice.'

In this respect, the ability of experienced bureaucrats to advise on policy decisions that are responsive to public opinion was diminished, in favour of supporting capitalist interests dictated by the government.

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[127] "Editorial: Anti-graft forces on verge of collapse," *The Nation*, 25th October, 2003.
'Substandard replacements at the EC and Constitution Court, which drew virtually no protests, show that when the clamour for political decency, transparency and integrity subsides, the old status quo of nepotism and cronyism will always find its way back…Some former members of the Constitution Drafting Assembly, which created the 1997 charter, now fear that the three-pronged assault on political graft is all but doomed.'

[128] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, p. 185.
'the government removed the Budget Bureau's overall command of the budget, thus increasing the minister's authority over government funds. Then the NESDB planning agency was sidelined…Thaksin appointed more businessmen to positions on statutory boards (normally occupied by officials), and proposed to modify regulations to allow appointment of non-officials to senior posts like permanent secretaries…Senior bureaucrats had retained authority in part because they had the machinery for policy making, while politicians usually did not. Thaksin set out to change this too…This greater party control of policy making was especially prominent in economic affairs…Thaksin also set out to change the culture and status of the bureaucracy.'

The Military

Military officers have held the office of prime minister for all but eight years during the period 1938-88.[129] Historically the military has never recognized clear limits to its functions, nor has it genuinely subordinated itself to civilian control. With the relative acquiescent handing over of power to civilian government in 1992, the Thai military remains essentially unreformed, with its privileges largely intact.[130] Mc Cargo argues that the 'Thai military has simply engaged in a discursive turn, preferring the language of development and participation to the old rhetoric of national security,' and goes on to state 'in other words, the military adjusted itself to changing socio-political conditions, maintaining a low profile until conditions were right for a reassertion of influence.[131] That opportunity emerged when the Chuan and later Thaksin governments sought military help with projects of social control, including managing protests in rural areas which arose from rapid and inequitable socio-

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[129] Duncan Mc Cargo and Ukrist Pathmanand, <u>The Thaksinization of Thailand</u>, pp. 121-122.
'Indeed, under Thaksin the military has been engaged in a subtle process of transformation, which has amounted to a repoliticization of Thailand's armed forces. Thaksin's approach to the military reverses the trend towards de-politicization which began following the violence of May 1992, in which the armed forces were responsible for numerous civilian deaths.'

[130] Ibid., pp. 129-130.
'Immediately following the May events, the military attempted to protect their major sources of benefits, opposing all requests for change. Documents such as the 1994 Defence White Paper sought to rationalize requests for new weapons as essential to create a more technically sophisticated and professional military – despite all the evidence that the more weapons the Thai military received, the greater the tendency for corruption and de-professionalization…There was considerable pressure from social activists and consumer protection groups for the military to surrender their control over the country's radio airwaves; yet there was no real progress on this issue after 1992, clearly because successive governments lacked the political will to tackle it. Large numbers of troops remained stationed around Bangkok – where there was no security issues to tackle – and the military controlled much of the underdeveloped prime real estate in the capital. Most seriously of all, the Thai armed forces suffered from a culture of chronic over-promotion, with the result that they probably included more serving generals – around 1,400 – than any other military in the world.'

[131] Ibid., p. 156.
'Under Prem's tutelage, the military learned to adapt themselves to civilian rule during a period characterized by a vibrant civil society and growing demands for reform. Once those demands had been superficially assuaged by the 1997 constitution, and once Thaksin had succeeded Prem as a "surrogate strongman" of a very different species, reformist generals were quickly pushed aside and clientelist criteria began to shape the promotions structure of the military…the graduates of Class 10 of the Armed Services Academics Preparatory School are not due to retire until 2010.'

economic change, and from an expanded and assertive popular sector'. The state found itself on the defensive and sought an increased role for the military and police to suppress dissenting voices on various issues such as the Pak Mun dam and the Thai-Malaysian gas pipeline'.[132]

The placement of Chaisit Shinawatra in the position of Army Commander,[133] allowed Thaksin place more of his relatives and crony's from Class 10 of the Armed Forces Academics Preparatory School in a range of key military posts.[134] One reason for placing Chaisit in charge of the Army is that his presence reduces the prospect of a coup d'etat, or other form of threat by the military to civilian rule. However the newly-rehabilitated military can threaten or undermine the democratic process since close personal ties between the prime minister undermine principles of military professionalism and neutrality (opening the way to corruption[135] and public

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[132] Ibid., p. 150.

'Thaksin's various manoeuvres successfully displaced Prem's elaborate military patronage network. In a break with precedent, Prem was not even consulted over Surayud's transfer to the Supreme Command. Whereas in the past prime ministers had been involved in the selection of Army Commanders but had generally left the appointment to subordinates to the top brass themselves, Thaksin selected not only the new Army Commander, but also his deputy. This was made possible by the appointment of Thaksin's loyal supporter Thammarak to the post of Defence Minister.'

[133] Ibid., p. 137.

'The appointment of Somdhat to the top Army post was carefully planned and had various political implications. First, Surayud's ouster was an indication of Prem's influence was declining and that the reformist policies associated with Chuan's two premierships were now out of favour. Second, the change reflected attempts by Thaksin to bring the military into line with his government's policy on Burma. Whereas Thaksin and foreign minister Surakiart Sathirathai favoured a policy of constructive engagement with Burma, which entailed playing down sensitive issues such as border clashes, refugee and minority concerns and questions such as drug-trafficking, Surayud had long insisted on a more hard-line approach…Furthermore, Somdhat's appointment was widely regarded as a stop-gap appointment; once Surayudh reached retirement age in 2003, Somdhat could succeed him as supreme commander – leaving the top army post vacant for Chaisit Shinawatra, who became deputy army commander in the 2002 reshuffle'.

[134] Ibid., p. 147.

'When Chaisit assumed the top army post, Thaksin seized the moment by promoting another 13 of his Class 10 classmates at the same time. In just under a year, Thaksin had placed 35 of his classmates in key military posts, so creating for himself a remarkable base of loyal supporters, several of whom commanded key front-line troops…Whilst there were no Class 10 graduates in senior positions at the Supreme Command following the 2002 and 2003 reshuffles, it was striking that ten Class 10 officers were well placed to succeed a cohort of senior officers in the Supreme Command who were due to retire in 2004 or 2005…Thaksin faced little opposition from the other armed services over the creation of a personal patronage network based on his army classmates.'

[135] Ibid., p. 164.

unaccountability). What Thaksin's repoliticization of the armed forces clearly indicates is that they were never sidelined.

Radio programmes controlled by the military were increasingly being used to support Thai Rak Thai initiatives, such as a daily programme concerned with the One Tambon, One Product project, economic development and tourism, broadcast between 5 and 6 pm. As Mc Cargo points out 'such crude use of the broadcast media to support government policies harked back to the propagandist approach of former military regimes. At the same time, Chaisit's interest in exploiting new sources of revenue for the Army's broadcasting operations was a blatant form of commercialization of military resources, made all the more complex because of the intimate ties between the military, the prime minister, and the ruling party. Thaksin's policy meant that military concerns would now be floated on the stock market, becoming more or less indistinguishable from other business activities'.

Thaksin gave the army a major role and a major new raison d'etre in the anti-drug campaign of 2003 and combating unrest in the South. Clearly, Thaksin has no interest in media liberalization since he has encouraged the military to strengthen their control over broadcasting. The restoration of the military's influence over foreign policy, especially concerning neighbours, may be seen as benefiting business interests, especially in the case of diplomatic relations with the military regime in Burma and their pur[136]

'Replacing Pacific Intercommunications with Traffic Corner reflected a familiar pattern, in which one well-connected private company was replaced by another when a new military commander assumed office. Just as there were plans to spin off companies from the Army's TV Channel 5 to register on the Stock Exchange, Traffic Corner Holdings was making similar preparations to launch itself on the Thai bourse.'

[136] "Senate panel to summon Exim, ShinSat," *The Nation*, 26th August 2004.

'The Senate committee on foreign affairs will summon representatives from the Export-Import Bank of Thailand (Exim) and Shin Satellite to explain the Bt600-million soft loan to fund Burma's broadband Internet project…Exim approved the Bt600-million loan for the broadband project on August 9, after Shin Satellite had been selected by Burma's Ministry of Communications, Post and Telegraph Union as the only eligible Thai supplier for the project…Somkiart Tangitvanich, a

All these authoritarian measures increasing the role of the military and the police at the expense of the public reversed the intentions of the 1997 Constitution which was hoped to encourage popular and civil society involvement in the political arena.

In the context that previous democratic change (in October 1973 and May 1992) were the result of struggle from below, the power of the state could only be checked by the power of mass-based social movements. The creation of 'independent' bodies largely demobilizes popular participation, reducing the role of the population in the political process to merely casting their vote at election time. Therefore, 'responsive rule' becomes the preserve of a small group of individuals elected by the Senate, and not rule by 'the people'.

3.4 Civil and Political Rights

Such rights encompass freedom of expression, association, movement, and so on. These rights enable citizens to express divergent or unpopular views, to create informed public opinion, to associate freely with others, and to find their own solution to collective problems.

Prior to the *Thai Rak Thai* election victory in 2001, there were six free to air television channels, five of which were owned by the army or government. The sixth channel, iTV, the only channel independent of the state, designed to be a news station was launched in 1996. However, Thaksin's Shin Corp. acquired a controlling stake in 2000.[137]

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telecommunications researcher at the Thailand Development Research Institute, called on the prime minister to instruct the Exim bank to disclose full details of the contract to show his sincerity…He added that other Thai firms, such as True Corp and Ucom, had fibre-optic capabilities and the government should allow all Thai suppliers to engage in competitive bidding.'

[137] Duncan Mc Cargo and Ukrist Pathmanand, The Thaksinization of Thailand, p. 48.

The press in Thailand throughout the 1990s was somewhat different in structure to television and radio, in that it was generally independently owned, and had a reputation as one of the most free in Asia.

In *Thai Rak Thai's* first term in office, a bill was drafted to establish a body with powers to issue 'ethical guidelines' to the media and punish infringements. Significantly, the bill was dropped after a public outcry indicative of responsive rule. However, a more effective technique to tame actual and potential press criticism was achieved by the advertising leverage of Shin Corp in favouring those papers which were prepared to control their criticism of the government. Furthermore, the filing of a libel lawsuit by Shin Corp against a leading NGO activist, Supinya Klangnarong, Secretary General of the Campaign for Popular Media Reform, who claimed that the prime minister had abused his position, is further evidence of a clamp-down on individuals' rights to free speech.[138] The armed services have also been active in repressing free-speech, harassing independent broadcasters,[139] and restricting

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'Shin Corp's takeover of iTV at that time also stemmed from political reasons and coincided with Thaksin Shinawatra's rise to power. It signified his negative attitude towards the rights and freedom of the media. The takeover of Thailand's only independent television station, which was accompanied by the dismissal of its most critical and outspoken reporters, corresponded with Shinawatra's acquisition of power before the general elections. Thai Rak Thai had claimed that iTV, and most especially the Nation Group – which was responsible for producing news programmes for the station – had a negative attitude towards the new prime minister. Two major producers of programming for iTV – the Nation Group and the Watchdog Group – were subsequently ditched.'

[138] "Special: Supinya's Big Day in Court," *The Nation*, 22nd June, 2004.

'Supinya accused Shin Corp, which owns the iTV television station and many other communications firms, of being a major beneficiary of the Thaksin administration's policies, having trebled its wealth since the premier came to power three years ago. She also accused the firm of using the profits, in turn, to further Thaksin's political clout.'

[139] "Harrased" radio hosts quits to go into exile,' *The Nation*, 24 June 2005.

'Anchalee Paireerak, the radio producer and journalist well known for her critical comments against the government, called it quits yesterday….Anchalee later told reporters she could no longer withstand government pressure. "The government has been harassing us in every way. We've been picked on from the beginning," she said. "At first, the government said our antenna was too high, making our signal interfere with the main radio stations. So we took down the antenna and broadcast through the Internet, which affected no one, but the government still shut down the website." She said that the FM 102.25 community radio station of Traffic Corner Co Ltd continued to broadcast at 4,000 watts, but the government took no action.'

websites that provide information which is critical of the government.[140] In December 2004, the police and provisional officials attempted to repress the distribution of a VCD, shot by amateur photographers, of the violent state crackdown, which ended in the death of at least 85 unarmed demonstrators, in Tak Bai.[141] The Executive Decree is the most serious violation to-date, of press freedom and the public's right to information.[142]

In general, the *Thai Rak Thai* government has an appalling record upholding the civil and political rights concerned with freedom of association (Section 44 of the Thai Constitution – 'rights of demonstration'), though the anti-Bush demonstration during the APEC summit was allowed to take place despite government pressure. Nevertheless, social movements such as the one against the Trans Thai-Malaysian gas pipeline project, has met with violent state repression, and repeated human rights violations. The legitimate ongoing concerns of NGOs, and local fishermen regarding

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[140] "Anti-government websites shut down," *The Nation*, 22 June 2005.
'Two websites with content deemed strongly critical of the Thaksin government have been shut down, allegedly on orders from the Information and Communications Technology (ICT) Ministry. Site operators maintain their hosts were ordered to remove them…One website – www.thai-insider.com – belongs to Ekkayuth An-chanbutr, a chit-fund operator who fled the country several years ago but returned last year and became a self-styled crusader against what he said was endemic corruption in the Thaksin government…The other one – www.fm92.25.com – belongs to a community radio station with a penchant for hosting vocal critics of the government Suwit added that officials from the ministry's Cyber Inspection Division might have ordered them shut down on their own initiative after considering some of the content to be detrimental to national security.'

[141] "Police crackdown on "illegal" Tak Bai VCD," *The Nation*, 9th December, 2004.
'A number of VCD versions of the Tak Bai incident – most shot by amateur photographers – went into circulation within days of the bloody incident. The government suffered severe embarrassment when forced to reveal the following day that at least 79 people died while being transported from Tak Bai to a military camp in Pattani. Piya [district chief of Tak Bai] did not elaborate on why it was declaring the Tak Bai VCD illegal six weeks after the event or on what legal grounds the authorities could prosecute those who possess copies.'

[142] "Media fumes over blow to press freedom," *The Nation*, 16 July 2005.
'Journalists yesterday cried foul over the government's new media restrictions banning "terrifying and distorted reports" of incidents during states of emergency. The Thai Journalists' Association issued a statement in response to an executive decree by the government after the recent violence in Yala province. The decree will give Prime Minister Thaksin Shinawatra sweeping powers and provide his officials with the right to bar news releases he considers detrimental to national security. The association said it considered the decree to be in violation of the Constitution and the public's right to know the truth. "We don't support any law that will terminate freedom of speech, a basic right of the people and the media," the statement said.'

the destructive impact, upon local communities and their environment, has seen consistent protests against the project, in the southern Songkhla region of Thailand. Bowing to public pressure, the root of the pipeline was shifted slightly but nevertheless the project went ahead. In December 2002, a peaceful demonstration against the pipeline by community activists in Hat Yai, resulted in a repressive police response that left 38 demonstrators and 15 policemen injured.[143] The police had removed their name and rank insignia from their uniforms and prosecuted twenty protestors for encouraging violence and causing a public disturbance. Thaksin repeatedly labeled protestors as promoters of violence and as dishonest recipients of foreign funding. The evidence from a video of the scene showed otherwise – several hundred police had attacked the unresisting protestors with batons, brutally beating several people in the process.[144]

Thaksin's verbal attacks on the integrity of the media and protestors, is only one tactic in a strategy of undermining public support for their cause. Several members

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[143] "Uproar over violent crackdown," *The Nation*, 22nd December, 2002.

'Fifteen non-governmental organizations, including the Thai NGO Coordinating Committee, the Union for Civil Liberty, the October Network, and the Campaign for Popular Democracy, issued a joint statement yesterday condemning the use of violence against a peaceful demonstration. The coalition also demanded the unconditional release of 12 NGO members, and the removal of the interior minister and the national police chief from their offices…The statement also lashed out at the police for being insensitive towards their fellow Muslim demonstrators, accusing them of attacking people while they were conducting their evening prayer. Many women also had the clothing ripped off their bodies, the statement said…The Law Society of Thailand, meanwhile, issued a statement reminding the government about "rights to demonstration" under Section 44 of the Thai Constitution and the International Covenant on Civil and Political Rights 1996, which Thailand ratified in 1997.'

[144] "Editorial: 'The silencing of the wolves," *The Nation*, 4th January 2004.

'What price democracy now that legitimate voices of dissent in a once vibrant society are no longer being heard?...Under the guise of democracy, the government has evolved to become a big brother wielding a big stick…Even after the National Human Rights Commission documented that it was the police who resorted to unprovoked violence to disperse the protesters, there was no government action to bring justice to the injured demonstrators, not to mention to have their environmental concerns carefully reviewed and taken into consideration in the decision-making process…Thaksin has characterized political activists, non-government organizations (NGOs) and civil society groups that disagree with his government's policies as troublemakers and even traitors. He said on several occasions that these people are merely "receiving foreign money to stir unrest" within the Kingdom.'

of NGOs protesting against the Trans Thai-Malaysian gas pipeline project were subjected to investigations by the Anti-Money Laundering Office (AMLO).[145]

'War on drugs'

Thai Rak Thai included a 'war on drugs' in its original policy platform and in January 2003, Thaksin launched a campaign to eliminate illicit drugs within three months.[146] The campaign bore the hallmarks of that used to crush communists and sympathizers, who had fled to the jungle after the October '76 uprising, and both campaigns shared the leadership of former General Yongchaiyudh, and now deputy prime minister of the *Thai Rak Thai* government. Statistics released measuring the 'effectiveness' of the campaign, involved a daily body count, and between February and May 2003, over 2,500 'alleged' drug traffickers were killed. Local and foreign human rights groups dismissed the claims of the police, that traffickers were killing each other to protect their networks and accused the authorities of orchestrating a summary execution of suspects, arguing that many people were killed on the basis of hearsay.[147] Death sentences were also handed down by the courts in what Amnesty

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[145] Pasuk Phongpaichit and Chris Baker, <u>Thaksin: The Business of Politics in Thailand</u>, pp. 153-154.

'…in March 2002, documents were leaked showing that the Anti Money Laundering Office (AMLO), a new agency established to combat drugs and organized crime, was investigating the bank accounts of key figures in the Nation group, other journalists from Thai Post, an opposition MP, a handful of businessmen and officials, and several prominent NGOs (TN, 7 to 16 March 2003). AMLO claimed to have launched the investigation on the strength of an anonymous letter alleging the Nation group was a "major economic crime syndicate." The Nation secured a court injunction to halt the investigation. The government denied it had initiated the probe, but also established a committee that eventually absolved AMLO officials of any wrongdoing.'

[146] Ibid., p. 158.

'But the methods used raised questions about Thaksin's attitude to rights, freedoms, and the kinds of abuses that had characterized the dictatorial past.'

[147] Ibid., p. 162.

'Within a few days, a pattern emerged. Almost all were shot by handguns. Many were killed by a gunman riding pillion on a motorcycle, the classic style of professional hits. The forensic expert, Dr. Porntip Rojanasunan, noted that the bodies were often found with a small packet of ya ba pills (often not noted at first), that police resisted forensic examinations, and that the authorities seemed to be able to turn the killings on or off at will (*BP*, 17 and 18 February 2003).'

International referred to as an 'assembly line of death sentences,' highlighting that capital punishment contributed to a culture of violence.[148]

Significantly, the obvious ruthlessness of the campaign, and flagrant disregard for individuals' human and civil rights,[149] was met with popular support from the general public,[150] while on the other hand criticism did come from sections of the Thai media, senior academics, Senators, activists, and various other groups.[151] In October, 2004, Thaksin launched the second 'war on drugs'[152] and in April 2005 launched the third. This time however, no statistics were published. The 'war on

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[148] "Thaksin defends drug-death sentences," *The Nation*, 28th July, 2001.

'The human-rights group on Thursday urged Thailand to halt its "assembly line of death sentences" because there was no scientific evidence to show that capital punishment was an effective deterrent to drug dealers and it also contributed to a culture of violence.'

[149] "HARD TALK: War on drug-peddlers a very selective affair," *The Nation*, 11th February, 2003.

'For one thing, the bloody anti-drug crusade is not something for the faint-hearted or those who believe in human rights. You are not even supposed to sympathise with the families of those gunned down by police on mere suspicion that they were drug dealers…Sant, who as chief of the police force leads the front-line battle against drug-trafficking, dutifully echoed Thaksin's new dictum by declaring during a TV interview that "people should stop worrying about what happens to drug-traffickers." His blunt statement was supposed to be a rebuttal of a chorus of concern voiced by human-rights advocates…The broadcast media in particular find the theory so convincing that they have no qualms about trumpeting the daily "pre-emptive killings" as a shining example of the success of Thaksin's war on drugs…Well, we are being made to believe that the lives of those victims of "pre-emptive killing" are so worthless that they do not even warrant an autopsy or an investigation to determine the cause of their deaths…The police don't care who pulls the trigger as long as their deaths add to the body count…However, one cannot but wonder whether any of the "big fish" have been netted in the campaign so far. It looks like all of those gunned down to date are just petty drug-peddlers. And we all know all too well that the burgeoning drug trade would not have been possible without the connivance – and sometimes direct collusion – of corrupt authorities, especially those in the police force. So far we haven't heard of any "double-crossing" among them yet.'

[150] Pasuk Phongpaichit and Chris Baker, <u>Thaksin: The Business of Politics in Thailand</u>, p. 166.

'Despite the protests of activists, the campaign had been highly popular. At the height of the killing in late February, the Suan Dusit poll of a ten-thousand-person sample showed 90 percent in favour of the campaign (*TN*, 24 February 2003).'

[151] Ibid., p. 165.

'The diplomatic corps as a whole expressed concern. The legal profession sent an open letter raising fears of a police state. A hundred senior academics signed a protest, and group of senators came out in opposition. The national police chief temporarily broke ranks and expressed concern that the blacklists might include "people trying to smear one another" (TN, 26 February 2003). Pichit Kullavanija, a member of the king's Privy Council, advised that such a campaign should involve "bringing culprits to justice under due process and not to silence them by what has been called elimination killings" (TN, 15 March 2003).'

[152] Ibid., p. 165.

'In fact, over this second phase only one major dealer was caught, Suphap Saedaeng, from Bangkok's Khlong Toei slum. Others had reportedly fled abroad.'

drugs' was a response to a strong social demand, but also a reminder that the government claimed a monopoly on violence and was prepared to use it.

War in the South

Traditionally one of the poorest regions in Thailand, the four Muslim dominated provinces in the South have coexisted in an uneasy but peaceful balance with the Thai state, since overt separatism demands declined in the mid 1970s.[153] The election victory of the *Thai Rak Thai* party in 2001 and the associated nationalist rhetoric emphasizing Thai culture, government centralization, rehabilitation of the military and the police crackdown in the 'war on drugs' - exacerbated tensions in the region. In October 2003, Thailand sent 447 non-combatant troops to Iraq, further angering Muslims. The increased role of military and police in the region deployed in the 'war on terror,' led to the arrest of three prominent community leaders who were charged with membership of Jemaah Islamiyah, and two months later in August 2003, the arrest of Hambali, a suspected senior al-Qaeda figure.[154] Sporadic violence increased throughout the year with attacks on police stations, railway bombings and school arsons.

In January 2004, the violence escalated dramatically, when the government declared martial law and sent extra police to the region, in response to a large haul of

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[153] Ibid., p. 236.

'As elsewhere, the border generated lucrative businesses in smuggling of rice, people, drugs, arms, and consumer goods. The army and police who controlled the region had become deeply involved with these rackets jointly with local businessmen and gangsters. In 1995-6, government had set up a joint police-army command in an attempt to neutralize rivalries. But the turf wars continued, and escalated after Thaksin came to power and disrupted both the police and military hierarchies.'

[154] Ibid., p. 236.

'According to the National Human Rights Commission (2004), many people were beaten or abducted. An activist lawyer, Somchai Neelaphaijit accused the police of barbarically torturing arrested suspects.

weapons being looted from a military camp in Narathiwat.[155] The belief that force alone (with complete disregard for civil and political rights) could end the violence further alienated the local population.[156] In July 2004, a radical group that earlier had attacked a police station, retreated inside the Krue Se mosque, where the security forces laid siege, ending in the brutal slaughter of 108 people (along with five from the security forces).

In October, a group of about 1,300 protestors who gathered in front of Tak Bai district police station, to demand the release of six suspects were fired on by security forces using automatic weapons. Transportation of detained demonstrators 'crammed into military trucks like pigs headed for slaughterhouses' (*TN*, 27 October, 2004), resulted in 78 deaths.

The brutal suppression of the South and the spiral of violence increasingly threatens the emergence of an 'uncivil society.' The notion that state power can force the local populace into submission does not translate into the possibility of a spontaneous resurgence of civil society. Fear and suspicion have the potential to destroy the social fabric of the community. The economic damage to local businesses and disruption to education weaken the possibility of developing or sustaining a thriving pluralist society.

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[155] Ibid., p. 237.

'The police accused the army of manufacturing the "raid" to cover up arms sales by "insiders" to rebels in Aceh. The army reacted with angry public denials.'

[156] "Hardtalk: Time for pretending is over in the South," *The Nation*, 19th July, 2005.

'Thaksin gave authorities, police in particular, the green light to use heavy-handed tactics in dealing with terrorist suspects, believing that force alone would put an end to the violence. Questions of social injustice and economic inequality, a widespread sense of persecution and historical grievances which contributed to the unrest, were however, never seriously addressed. An army of security officials, many of them handpicked by Thaksin, was sent from Bangkok with a mandate to go over the heads of local authorities to crack down on suspected Muslim extremists. The result was a series of incidents of harassment and kidnappings that only alienated the local populace and exacerbated the situation.'

The Executive Decree issued by the government to contain violence in the deep South, places restrictions on the rights and freedoms of the Thai people.[157] The Human Rights Commission and residents in the South, demanded the government abolish the decree since it allowed the prime minister to detain suspects without charge, censor news, order home searches without warrants, and prohibit public gatherings. Such measures run contrary to both the Thai Constitution and the human rights conventions of the United Nations.[158]

Furthermore, the adoption of the decree bypassed Thailand's parliament[159] (and ignored the strong criticisms of it by the National Reconciliation Commission - NRC),[160] thus negating any possibility of elected representatives engaging in a

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[157] "The emergency decree for the layman," *The Nation*, 8 August 2005.

'This decree places restrictions on the rights and freedoms listed in Sections 29, 31, 35, 36, 37, 39, 44, 48, 50 and 51 of the Constitution, (though this is permissible by law).'

[158] "Executive decree: abolish it, says rights panel," *The Nation*, 21 July 2005.

'Such measures run contrary to both the Thai Constitution and the human rights conventions of the United Nations, HRC said in a statement. "The harsh measures authorised by the decree will worsen the situation since it allows officials to use excessive power," the statement said. "Abusive officials are the major cause of violence in the deep South." The government's emergency decree has annulled basic human rights and the rule of law, according to the statement…Residents in the deep South also expressed concern yesterday over the sweeping new powers granted to security officials in the region. "We are scared of abusive officials because they have taken so many innocent people into custody," said Mahamad Amin, secretary-general of the Village Heads Association in Narathiwat. "With new powers, they can arrest even more people with impunity."

[159] Human Rights Watch, "Emergency Decree Violates Thai Constitution and Laws"; available from http://www.hrw.org/english/docs/2005/08/04/thaila11592.html; Internet accessed 16 August 2005.

'We are also concerned that you have thus far refused to submit the decree to the parliament for its consideration in an extraordinary session as required by Article 218 of the Thai Constitution. On July 19, 2005, just before the government announced the enforcement of the decree in Yala, Pattani and Narathiwat provinces, you stated that you would not do so and would only submit it to a regular session when it reconvenes in August. We note that your government has the support of more than 300 MPs in the 500 seat House of Representatives. It also has the support of approximately 140 senators out of a total of 200. It thus appears that the government is ignoring Article 218 because it wants to avoid a public debate by Thailand's elected and appointed representatives which may lead the public to question both the government's motive in enacting the decree and its contents. Yet it is worth remembering that under the Thai parliamentary system it is not the government that is elected by the Thai people, it is the Parliament. As the direct representatives of the Thai people, they must have the opportunity to debate this highly controversial decree as soon as possible.'

[160] "Emergency Decrees: Anand slams govt as editors up in arms," *The Nation*, 19 July 2005,

'Former prime minister Anand Panyarachun yesterday slammed the government for "hastily" issuing an executive decree to give the prime minister broad emergency powers to stamp out unrest in the deep South. Anand, as chairman of the National Reconciliation Commission (NRC), warned that the State of Emergency Decree would only lead to more violence and possibly a "real crisis" as the authorities' main problem was a lack of efficiency, and not lack of power…"The authorities have worked inefficiently. They have arrested innocent people instead of the real culprits, leading to mistrust

healthy public debate - a necessary characteristic of 'open and accountable government' - to draft appropriate legislation and policies to address the situation in the south. In a democratic society, such legislation incorporating far-reaching powers as the Executive Decree should when possible be drafted carefully in an open and transparent process.[161] Given the government's poor record on civil and political rights as discussed above, there is a real threat that these powers to rule by decree may be abused. The issue of transparency means the Thai government is not only subject to public accountability to its own citizens, but also accountable to international bodies such as the UN, with the ratification of the International Covenant on Civil and Political Rights in 1996.[162]

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among locals. So, giving them broader power may lead to increased violence and eventually a real crisis," said Anand after emerging from a meeting of an NRC working group last night at Government House. "We [the NRC] agreed that this government's ideas are not compatible with reconciliation efforts," he told reporters. Anand urged the government to change its policies so that they were more in synch with the principle of reconciliation. Anand said that the administration should have issued such legislation through Parliament – in the form of an act…He said the way the decree was issued made people suspicious and encouraged mistrust of the government. "If the decree had been passed with Parliament's approval, people would feel better," Anand said before the NRC began a meeting to discuss the emergency powers. "The important question is, when the power is exercised, will it be according to human rights (principles) and other laws?" he said.'

[161] Human Rights Watch, "Emergency Decree Violates Thai Constitution and Laws"

'This was possible in this case. During a press conference on July 15, 2005, just after the decree was enacted, Deputy Prime Minister Wissanu Krua-Ngam said the government had been preparing to replace the enforcement of martial law in Yala, Pattani, and Narathiwat provinces with a comprehensive legal instrument, combining together special powers under martial law with six other security-related laws, to deal with the situation. Debates about this and other policy options related to the violence in the south had been going on for more than six months, including by the National Reconciliation Commission you appointed and have now bypassed. We therefore ask why the government chose to implement a decree instead of offering the Parliament an opportunity to discuss and examine its contents, discuss and debate the legality of the decree, and allow for public input? Why did it suddenly become urgent to impose this decree when there had been no significant changes in the situation on the ground?'

[162] "UN queries for Thai government," *The Nation*, 17th May, 2005.

'The following are a list of issues to be taken up by the Committee on Human Rights of the United Nations High Commissioner on Human Rights on 19-20 July 2005. Concerning constitutional and legal framework: 1. Give examples in which the provisions of the Covenant were invoked before the courts. 2. Is Thailand ready to ratify the first Optional Protocol of the Covenant….3. Details of actions taken by the National Human Rights Commission including providing figures of complaints and investigations made thereof. 4. A) Has Thailand declared a state of emergency? B) How can the government protect its citizens under the martial law. C) Number of deaths in conflicts in southern provinces and detail of affected persons. 5. Provide information about the antiterrorism laws adopted by the country. 6. Confirm if all rights under Thai legislation are extended to all persons including non-citizens, migrants, refugees and asylum seekers. 7. Information on whether discrimination on the basis of sex such as access to employment, access to social services and marriage and inheritance rights. 8.

Activist Assasinations

In March 2004, Somchai Neelaphaijit, chairman of Thailand's Muslim Lawyers Association and vice chairman of the Human Rights Committee of the Law Society of Thailand, accused the police of torturing suspects to whom he had offered legal aid. A few days later he himself disappeared.[163] Since the Thai Rak Thai party came to power in 2001, no fewer than sixteen activists have been murdered, or are missing and presumed dead.[164]

Extent of domestic violence, especially against women including measures and legislation taken to combat this problem. 9. Comment on specific measures taken by the government to combat human trafficking and to protect HIV/Aids victims. 10. Explanation of imposition of death penalty on deregulated crimes. 11. Provide up-to-date information on the large number of alleged killings during the "war on drugs" and its report on the action. 12. Provide statistics on the executions occurred in the past five years and information on pending cases. 13. What judicial remedies are available to victims of human rights violations committed by law enforcement officers and members of security forces? 14. Clarification of the government's practice of continued shackling of death row prisoners considered necessary including explanation on the allegation that the government intends to broadcast executions and prison conditions of death row inmates as a deterrence measure. 15. Provide information on treatment of terrorist suspects and drug addicts under police custody. 16. Details of steps being undertaken to investigate allegations of threats to and attacks on nongovernmental human rights organizations and human rights defenders. 17. Does any mechanism exist to monitor the independent operation of Thai judges? Please indicate whether judges benefit from security of tenure. 18. Provide information on the situation, treatment and the grounds and conditions of deportation of Burmese migrant workers, asylum seekers and refugees. 19. Provide information on the increasing government pressure on independent media. 20. Update on the status of the recent libel suit against critics of Prime Minister Thaksin Shinawatra as well as suits filed against editors of the Thai Post and a media reform campaigner by Shin Corp Group. 21. Further explanation why the county's economic and social conditions are not congenial to enforce freedom of association. 22. Explanation of reasons why the government dismissed the findings of the National Human Rights Commissions on the police and voluntary militia crackdown on 16 October, 2004. 23. Provide information measures taken to deal with problem of forced child labour exploitation including information on prosecutions and convictions related to forced child labour. 24. Information on measures undertaken to ensure transparency of the electoral process and the fairness of the general election that took place on 6 February, 2005. 25. Update information on the state of highlanders, those hill tribes living in northern Thailand and their rights to freedom of movement, rights to citizenship and right to land and property. 26. Provide detailed information on programs for education and training of members of the judiciary, law enforcement and security officials about human rights as recognized in international instruments and national law.'

[163] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, p. 236.
'Four police officers were subsequently arrested and accused of abducting him.'

[164] "How a fisherman became a hero," The Nation, 23rd June, 2004.
'List of environmental activists murdered, missing and presumed dead during the Thaksin administration. Name: date of murder: detail of case 1. Jurin Ratchapol: January 30, 2001: Took action against encroachment into a mangrove forest by influential figures in Phuket. Two alleged gunmen are being held on remand. 2. Suwat Wongpiyasathit, leader of Rajathewa community: March 28, 2001: Was murdered after campaigning against a garbage disposal project that produced foul smells and water pollution. 3. Narin Bhothidaeng, former chairman of Khao Cha Ang Klang Tung conservation group in Rayong: May 1, 2001: Led villagers to oppose a rock grinding plant run by a national politician. 4. Pitak Tonewut, former president of the Nature and Environment Conservation Student Club at Ramkamhaeng

3.5   A Democratic or 'Civil Society'

In a democratic society, state power needs to be countered by independent social associations of all kinds. In addition, democracy will have a strong basis when such associations are not only independent from the state but also internally democratic.[165] The democratic experience in these associations will make their members active citizens who feel responsibility for their society at large.

The growth of social and environmental activism throughout the 1990s (in which there was a dramatic increase in NGO numbers and increased public debate by academics and intellectuals) is exemplified by the ninety nine day demonstration by the social movement, Assembly of the Poor. In an attempt to undermine the

University: May 17, 2001: Led villagers to oppose the building of a stone mill that encroached on a forest conservation area in Nakhon Sawan province. 5. Chaweewan Peeksungneon, Nakhon Ratchsima's Naklang Tambon Administrative Organization (TAO): June 21, 2001: Obstructed the bidding for construction projects by the TAO which favoured local influential people. 6. Somporn Chanapol, leader of Kradae river basin conservation group in Surat Thani: July 2001: Protested a dam construction project that obstructed the Kradae river. 7. Kaew Pinpanma: April 2002: Land dispute Lamphun province. 8. Boonsom Nimnoi: September 2, 2002: Protested the construction of a chemical factory in Petchaburi's Baan Leam district. 9. Preecha Thongpan: September 27, 2002: Was shot dead after campaigning against a wastewater treatment project in Nakhon Sri Thammarat's Tung Song district. 10. Boonrit Charnnarong: December 15, 2002: Protested against illegal logging by forestry officials in Surat Thani's Tha Chana district. 11. Boonyong Intawong: December 20, 2002: Protested against a rock grinding plant run by a local influential figure in Chiang Rai's Wiengchai district. 12. Khampan Suksai, deputy chairman of the Ping river basin conservation group: February 1, 2003: Prevented landlord from encroaching into community forests. 13. Chuan Chamnarnkit: February 4, 2003: Chuan campaigned against drug use in Nakhon Ratchasima. 14. Samnao Srisongkram, chairman of Pong river conservation club: May 25, 2003: Protested against a paper mill. 15. Somchai Neelapaijit, human rights lawyer. Last seen on March 12, 2004: Defended five Muslim militants suspected of involvement in the January raid on an Army base, plus three suspected Jemaah Islamiyah terrorists, and was involved in cases against the gas pipeline in the South. 16. Chareon Wataksorn: June 21, 2004: Led successful campaign against building of power plant at Bo Nok. Filed petition with interior minister and National Counter Corruption Commission accusing wealthy people of bribing local administrative organization officials to agree to sale of a 53 rai plot of land.'

[165] J.G Ungpakorn, 'NGOs: Enemies or Allies?', (Issue 104).

'Most NGO internal structures resemble that of a small private business, and that is exactly what some of the service providers actually are. Many people who set up NGOs appoint themselves to be directors and never face election…Yet, while they claim not to have "leaders," in practice they do and they are unelected. Similarly, they claim not to need formal rules for governing meetings (such as are found in trade union bodies), yet this is a recipe for the domination of informal meetings by loud mouths. Compounding this is the NGO policy of avoiding political arguments and theoretical debates within their meetings, which results in a "silent dictatorship" of civil society and localist values. Younger activists are not encouraged to form views of their own and debate issues with the older generation because political debate in general is frowned upon.'

paternalistic attitude and cooption techniques of previous governments, such movements aim to achieve greater public participation in the decision-making process of government.[166]

In early 1997, during the coalition government led by Chavalit, the Assembly of the poor created a protest encampment – the 'Village of the Poor' – outside Government House and stayed there for three months. The protest was built around the construction of the Pak Mun dam, which had devastated fisheries on the Mun river and been denounced by the World Commission of Dams, which suggested that it should never have been built (World Commission of Dams Report: 2000). The fact they had made some important inroads during the Chavalit government were squandered when the coalition fell apart in the midst of the 1997 Asian Financial Crisis. The Chuan government, along with senior bureaucrats, refused to honour any previous agreements with the Assembly and so throughout the remainder of the 90s, they continued their protests.[167] During the Thaksin assets trial, the Assembly of the Poor announced they would collect signatures in support of his acquittal.[168]

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[166] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand,, p. 20.

'The protest groups began to forge international links, allying with equivalent organizations across the world, and importing new ideas and techniques of protest. A late-1990s movement for land reform was explicitly modeled on Latin American experience. Also, protest organizations edged nearer to domestic politics. Especially after the countermanding of the Assembly of the Poor's concessions in 1997, some argued that rural groups needed their own political party. But most rural leaders believed forming a party would worsen factional conflict and provoke attempts to co-opt or suppress rural organizations. They preferred to bargain their support to political parties in return for specific concessions.'

[167] Ibid., p. 144.

'Over 1999-2000, Thaksin had given the impression he would be sympathetic to NGOs and rural protest groups. He had talked to them directly, adopted some of their ideas and vocabulary. Many cooperated and supported him at the 2001 election. On the day after his election victory, he visited the Assembly of the Poor's protest encampment on the pavement outside Government House and ate lunch with them for the benefit of the media. He agreed to set up committees to solve the protestors' problems. Once these mechanisms were established, the protest camp was dissolved. On the Assembly's major issue over the Pak Mun dam, Thaksin ordered a temporary opening of the dam's sluice gates and commissioned research to evaluate the dam's impact on the local ecology and fisheries.'

[168] Ibid., pp. 3-4.

Towards the end of 2001, Assembly of the Poor activists began to voice their frustration that despite the setting-up of committees by the Thaksin administration, little progress was actually taking place (Missingham 2003: 11). In March 2002 the Assembly launched a series of protests across the country to put pressure on the government and reconstituted its protests outside Government House, calling on Thaksin to honour the promises he had made a year earlier (Missingham 2003: 212). The following month the cabinet responded by passing a resolution authorizing state violence to crack down on any gatherings that violated the law. It also outlawed the blocking of roadways, making any sizable demonstration illegal and subject to violent response.

Towards the end of 2002, Thaksin also attempted to buy off the protesting fishing communities by offering them money if they would change occupation. Their response was that there was little else that a fisherman could do to earn a living. By this time Thaksin had already taken the decision that the Pak Mun Dam would be protected, and when his offer of cash was rejected, he summarily decided the issue in favour of the State Electricity Company (EGAT), who operated the dam, without even waiting for the final results of the research projects he had commissioned. Officials dismantled the protestor's camp, and forced them to leave the site.[169]

Indeed EGAT workers (supported by other trade unions and by activists from the Peoples' Movement) have posed one of the most serious challenges to the *Thai*

'The Assembly of the Poor, followers of the popular monk Luangta Mahabua, a ninety-year old former minister, and a prominent politician separately announced they would collect signatures in his support.'

[169] Ibid., p. 146.

'Thaksin's financial temptation of the Pak Mun fishing communities was broadcast on live TV on 20 December 2002…When the Mun River villagers spurned his cash, Thaksin summarily decided the issue in favour of the electricity authority, without even waiting for completion of several research projects commissioned by the government. Officials then dismantled the protestor's camp. The Pak Mun case demonstrated Thaksin's conviction that communities at or beyond the periphery of the market economy should be integrated by monetary temptation if possible and by stronger means if necessary.'

Rak Thai government to-date, with a massive anti-privatization campaign in early 2004.[170]

The fact that most Thai NGOs have actively supported 'capitalist parliamentary democracy,'[171] failing to engage in organized political agitation[172] - focusing on single issue campaigns,[173] has resulted in the failure to put up a united front in case of urban and rural struggles, diluting the potential of mounting a generalized struggle against capitalist state interests. There are two critical factors in the seeming 'capitulation' of Thai NGOs such as Assembly of the Poor to neo-liberalism – both because of its autonomist[174] and post-modernist approach. In the

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[170] Ibid., p. 121.

'For 2004-6, government proposed twelve corporatization projects including electricity, water, ports, airports, and expressways. When government started with the electricity generating authority, EGAT, in early 2004, the proposal was strongly opposed by the union, by former governors of the authority, and by activist groups. Thaksin's attempt to calm this opposition by, among other things, promising to ensure a fair and transparent sale of the shares, seemed like a tacit admission of what had happened with PTT. Selling off state enterprises was not going to be a problem-free way of financing Thaksinomics.'

[171] J.G. Ungpakorn, 'NGOs: Enemies or Allies?,' (Issue 104).

'Their starting point involves two assumptions which arise out of the collapse of confidence in what most activists regard as Marxism: first that there is no progressive alternative to capitalist parliamentary democracy and second that class is not a useful tool for analysis when looking at the issues of state power and the forces which can challenge state power.'

[172] Ibid.

'Such a party would be able to pose an alternative political platform to all the other capitalist parties and would be a better way to involve the mass movements in collectively determining policy and in controlling elected representatives. The immense pressure on elected representatives to move towards narrow, conservative parliamentary politics cannot be resisted unless the individuals concerned are answerable to the movement.'

[173] Ji Ungpakorn, "Thai Social Movements in an Era of Global Protest," 9th Thai Studies Conference, (2005), pp. 2-3.

'At the election they could only offer a strategy to vote for thoroughly capitalist, neoliberal "opposition" parties. The vain hope in this abstract strategy was that it would dilute the expected parliamentary majority of the governing *Thai Rak Thai* party. There was no concrete explanation about why the dilution of *Thai Rak Thai's* majority would benefit ordinary people other than abstract talk about the need for "checks and balances" in order to create government "transparency" and "accountability." This claim that the opposition parties would "monitor" the government, was also made despite the fact that during the last parliament they did no such thing. The simple explanation for this is that the opposition parties, especially the Democrats, had no concrete policies. On occasions they talked about the loss of "fiscal discipline" as a result of Populist government spending. But as the election approached, they changed their tune and claimed to offer similar Populist policies to the government.'

[174] Ibid., p. 7.

'Autonomists reject the building of political parties and place activity about political theorising…The capitulation of Autonomists to neo-liberalism and right-wing reformism is due to its de-politicising effect. Autonomism has a de-politicising effect on the movement because it underestimates the state. The refusal to build a party of activists with a united theory and programme

case of the former, the Autonomists claim that 'Direct Action' or 'Direct Democracy' can counter the pressure of the state by-passing representative government and the need to form political parties. In case of the latter, post-modernism which rejects all ideologies also acts as a depoliticizing force.[175]

Indeed, the weakness of this post-modernist approach, which lay at the heart of NGO thinking during the drafting of the 1997 Thai Constitution, meant the 'liberal business faction' were able to dominate changes to the charter, in case of favouring larger political parties.[176] The support given to Thaksin (a billionaire of questionable integrity), by the Assembly of the Poor during his assets trial clearly could not have weakened the power of the capitalist ruling class and to mount a concerted campaign to tackle the fundamental issues affecting inequality in society vis-à-vis the state. Furthermore, the failure to critique market forces fails to recognize the inherent imbalance of power within the capitalist system and the associated tendency for the decline in the rate of profit, means ever-increasing amounts of resources need to be exploited underlying class relations of accumulation.

The Thai labour movement has a long history of state interference but this is also indicative of the power trade unions wield within the state representing a potentially powerful social force for change. The failure of NGOs such as the People's

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means that they turn their back on agitation and debate within the movement. Nor is it not deemed necessary to challenge the prevailing ideology of the ruling class, since each group merely acts autonomously. Autonomism goes hand in glove with the single issue politics of the N.G.O. movement.'

[175] Ibid., p. 8.

'Post-Modernism claims to "liberate" humanity by the constant questioning and rejection of Grand Narratives or big political theories. They therefore reject a class analysis of society and reject Marxism while also claiming to reject neoliberalism and capitalism.'

[176] Ibid., p. 6.

'Yet, in drafting the Constitution, the ideas proposed by the N.G.O.s and labour groups were only taken up when this fitted into the general blueprint already determined by the liberals (Connors 1999; 217)…Civil Society theory pre-supposes that the main area of political conflict is between the state and non-state groups in society at large. It is an analysis that ignores the issue of class and therefore the differences in power between classes, based upon access to controlling the means of production.'

Movement to rally behind the Electricity Worker's Union, based on the perception that it would not benefit their own struggle, exemplifies the neo-liberal thinking - accepting the free-market and the dominance of private capitalist interests that come with it.[177]

While Autonomism leads people to ignore the state, not change or overthrow it, civil society theory provides no easy answer to state repression. In late 2001 and early 2002, while maintaining a cooperative façade, the government undertook various covert methods to undermine civil society organizations such as Assembly of the Poor. These included attempting to block funding for Thai NGOs from foreign sponsors and attempting to link NGOs to organized crime through dubious asset investigations by the Anti-Money Laundering Office (AMLO).[178]

With the total failure of opposition parties to mount a serious challenge to *Thai Rak Thai* in the 2005 General Election,[179] the central role of Thai social movements in civil society becomes even more important.[180]

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[177] Ibid., p. 13.

'During the massive anti-privatization campaign conducted by the Thai electricity workers union in early 2004, NGO funded think tanks and Peoples Sector publications failed to fully support the struggle against market forces. That position taken by such organizations was that the state electricity monopoly should be broken up, allowing for a separation of producers and distributors, which would pave the way for the private sector to participate.'

[178] Pasuk Phongpaichit and Chris Baker, Thaksin: The Business of Politics in Thailand, p. 145.

'Shortly after, in early 2002, twenty leading Thai NGO workers and forty-four foreign assistants were found to be under investigation by the Anti Money Laundering Office (AMLO), which was empowered to fight organized crime.'

[179] Ji Ungpakorn, "Thai Social Movements in an Era of Global Protest," pp. 2-3.

'At the election they could only offer a strategy to vote for thoroughly capitalist, neoliberal "opposition" parties. The vain hope in this abstract strategy was that it would dilute the expected parliamentary majority of the ruling Thai Rak Thai party. There was no concrete explanation about why the dilution of Thai Rak Thai's majority would benefit ordinary people other than abstract talk about the need for "checks and balances" in order to create government "transparency" and "accountability". This claim that the opposition parties would "monitor" the government, was also made despite the fact that during the last parliament they did no such thing. The simple explanation for this is that the opposition parties, especially the Democrats, had no concrete policies. On occasions they talked about the loss of "fiscal discipline" as a result of Populist government spending. But as the election approached, they changed their tune and claimed to offer similar Populist policies to the government.'

[180] Ibid., p. 1.

CONCLUSION

In the context of the model for democracy adopted in this thesis; the reforms in the 1997 Thai Constitution, in case of providing for free and fair elections have diminished political choice, by favouring the larger parties which represent big business interests. This is exemplified by the disappearance of smaller political parties at the expense of the unprecedented mandate given to the *Thai Rak Thai* party in the general elections of 2001 and 2005. Nevertheless, the populist policies of the *Thai Rak Thai* party show that even parties of the elite can be susceptible to pressure from below. Significant change to the Thai political system (as a result of the October 1973 and May 1992 uprisings) were the result of struggle from below, the power of the state could only be checked by the power of mass-based social movements and consequently the desire for stable government has increased the power of the state, and of the rich over the poor, since the 'cost of collective action' against a less vulnerable government is greater.

In case of open and accountable government, the creation of 'independent' bodies largely demobilizes popular participation, reducing the role of the population in the political process to merely casting their vote at election time. Therefore, 'responsive rule' becomes the preserve of a small group of individuals elected by the Senate, and not rule by 'the people' The fact that the *Thai Rak Thai* party has been able to dominate the very institutions created to provide 'checks and balances' on government, through a process of cronyism and nepotism, as well as infiltrating the bureaucracy in case of policy-making reinforces the elites position to dominate the political space with money politics.

Civil rights under the *Thai Rak Thai* party are significantly diminished, in case of increased control over the media, and violence and intimidation orchestrated by the

state, exemplified by the 'war on drugs,' the Krue Se and Tak Bai massacres, and the repression of social movement activities such as the Thai Malaysian Gas pipeline protests.

The power of the state has been strengthened as a result of 'political reform' under the 1997 Thai Constitution and the role of civil society to act as a 'third force' underscores the fundamental weakness of Thai 'civil society' theory, and the approach of Thai social movements in countering the power of the state. Autonomism leads people to ignore the state, not change or overthrow it while post-modernism rejects all ideologies. The total failure of opposition parties to mount a serious challenge to *Thai Rak Thai* in the 2005 General Election, the central role of Thai social movements in civil society becomes even more important.

Therefore, the principles of democracy – free and fair elections, open and accountable government, civil and political rights, and 'democratic' or civil society; have all been diminished under the Thai Rak Thai government.

Since it is only when liberalization occurs in tandem with participation that one may speak of 'full' democracy, this can only be achieved through the establishment of working class or peasant parties which stand for policies that benefit the poorer sections of society. Similarly, in the case of civil society and its institutions, in order to effectively neutralize the power of the state, class politics is the only effective way to address the inequality of power within society.

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